

UNITED STATES OF AMERICA

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DEPARTMENT OF COMMERCE

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NATIONAL OCEANIC AND ATMOSPHERIC ADMINISTRATION

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MARINE PROTECTED AREAS FEDERAL ADVISORY COMMITTEE

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MEETING

THURSDAY, APRIL 26, 2007

The Advisory Committee met in Conference Room 555, Stafford Place II, National Science Foundation, 4121 Wilson Boulevard, Arlington, Virginia, at 8:00 a.m., Mark Hixon, presiding.

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PRESENT:

MARK HIXON	Chair
BOB ZALES, II	Vice Chair
TUNDI AGARDY	Member
CHARLES BEEKER	Member
DAN BROMLEY	Member
ANTHONY CHATWIN	Member
MICHAEL CRUICKSHANK	Member
ELLEN GOETHEL	Member
JOHN HALSEY	Member
STEVE MURRAY	Member
TERRY O'HALLORAN	Member
R. MAX PETERSON	Member
WALTER PEREYA	Member
GIL RADONSKI	Member
JIM RAY	Member
DANIEL SUMAN	Member

ALSO PRESENT:

RANDAL BOWMAN	Department of the Interior
ROBIN BRAKE	Department of the Navy
RIKKI GROBER-DUNSMORE	NOAA
JONATHAN KELSEY	NOAA
BOB MELZIAN	EPA
JEFF PEARSON	U.S. Coast Guard
JOSEPH URAVITCH	NOAA
CHARLES WAHLE	NOAA
LAURA WALKO	NOAA
LAUREN WENZEL	Designated Federal Official
LISA WOONINCK	NOAA

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P-R-O-C-E-E-D-I-N-G-S

8:15 a.m.

CHAIRMAN HIXON: Please be seated immediately. People are in trouble. One, two, three. You're not leaving Max. One, two, three, four, five, six, seven, eight, nine, ten, eleven, twelve, thirteen. One, two, three, four, five, six, seven, eight. I can do this. Nine, ten, eleven, twelve, thirteen, fourteen. All right. Everyone keeps moving. One, two, three, four, five, six, seven, eight, nine, ten, eleven, twelve. I got thirteen still.

MR. ZALES: Oh, you're missing Max over in the corner.

PARTICIPANT: Are you counting yourself?

CHAIRMAN HIXON: I thought I was.

MR. ZALES: But you're missing Max.

CHAIRMAN HIXON: Everyone raise your hand.

MS. WENZEL: One, two, three, four, five, six --

MR. ZALES: One, two, three, four, five, six, seven, eight, nine, ten, eleven, twelve, thirteen, fourteen. You were not counting Max standing up --

MS. WENZEL: -- ten, eleven, twelve, thirteen, fourteen. Yes. We're fourteen.

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1 CHAIRMAN HIXON: Okay. Good morning
2 everyone. We know have a quorum of fourteen. That's
3 the minimum quorum. No one is allowed to leave. If you
4 have to go potty, you have to ask permission.

5 (Laughter.)

6 The situation is that, we were scheduled
7 for public comment at 8 o'clock and we only now reached
8 a quorum at nearly twenty minutes after which would have
9 been extremely embarrassing had there been any public
10 comment. So this is more for the members who aren't present,
11 but it's also for those who came in late that this is
12 unacceptable. So I'll just leave it.

13 Actually I'm going have Bob say something.

14 He's --

15 (Laughter.)

16 MS. WENZEL: You didn't even pull out your
17 Vice Chair.

18 CHAIRMAN HIXON: I pulled out my Vice Chair.

19 MR. ZALES: I'm not going to use the title
20 but Mark is kind of reluctant to jump on everybody. But
21 clearly and Dan wasn't here yesterday so he didn't hear
22 the instructions. I'm not making excuses for him. Mark
23 wanted everybody here at 8 o'clock. And everybody
24 obviously wasn't here at 8 o'clock. But if we're going
25 to function and be on time, because we have problems

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1 with time anyway, we need to pretty much make a good
2 effort to be here on time. So, now that you've had a
3 good ass chewing we can move on.

4 CHAIRMAN HIXON: That wasn't so bad, Bob.

5 Okay. There is no public comment fortunately. So that
6 we have forgone the embarrassment of that. We're getting
7 close. Today is really, sort of, do or die day to get
8 done with the tasks before us.

9 To recap yesterday, we accepted unanimously
10 Ad Hoc Subcommittee C2's Priority Objectives for Cultural
11 Heritage. We then had a hand vote regarding Ad Hoc
12 Subcommittee A's National System Category which passed
13 by clear majority. So two of our five tasks are now complete.

14
15 To recap the discussion regarding the other
16 Ad Hoc Subcommittees, Ad Hoc Subcommittee B which I'm
17 now, in my own mind, calling the Entry/Assistance Criteria
18 Group. Received some feedback regarding, more explicitly,
19 what should be in a management plan for a site specific
20 management plan. And the issue of geographic
21 representation has been coming up repeatedly and need
22 to be made more explicit. So those are the two main issues
23 I heard regarding that subcommittee.

24 Regarding Ad Hoc Subcommittee C1, Priority
25 Objectives for Natural Heritage and C3, Priority

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1 Objectives for Sustainable Production, most of the
2 comments centered around the wording being not
3 sufficiently explicit to be clear to anyone who reads
4 that wording.

5 And there was still some issues regarding
6 the rankings. I know when I witnessed some of the voting
7 about that, I clearly wasn't there for the whole meeting,
8 it was clear to me that the rankings, they weren't separated
9 by much. The voting for each rank ranged from one to
10 eight with a huge amount of variance. So I think if you
11 took the average rank, it'd be separated by one or two
12 points rather than it'd be like, you know, the average
13 would be like 3.1, 3.2, 3.3 in average rankings. I don't
14 think -- the variance of the rankings was a concern to
15 me. And it seems like it was to some other members.

16 So what I want to do, I want to expedite
17 this as much as possible. One of the suggestions I received
18 last night was the, for Subcommittee B was, whether or
19 not there's huge, there's a huge range of intuition
20 regarding the starting number of sites that should be
21 in the National System. Are people ball parking their
22 minds around 1,600 sites, or 100 sites, or several hundred
23 sites, or it doesn't really matter? Because the entry
24 criteria to the National System are clearly going to
25 determine the initial number of sites. And one issue

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1 that's extremely important is this idea that an initial
2 National System is not considered to be complete by any
3 means. That's the beginning point around which a Gap
4 Analysis will take place. So then identify what's really
5 needed to meet the full goals and objectives of the National
6 System.

7 So did -- one moment Ellen. I guess what
8 I'll be asking then, are the Chairs of these three
9 subcommittees confident that they can address the issues
10 that were raised yesterday? Or does anyone think there's
11 something new that needs to be done?

12 Ellen, do you still want to speak?

13 MS. GOETHEL: Yes. I just want to --

14 CHAIRMAN HIXON: I'm sorry. You have to use
15 the mic.

16 MS. GOETHEL: I had a thought and it may be
17 a really bad one. It seems like ranking these is becoming
18 a problem. And do they have to be ranked or could they
19 be put in to groups of highest priority, middle priority,
20 and lower priority?

21 CHAIRMAN HIXON: Well they've sort of done
22 both so far. There's the actual rankings of 1 through
23 N. And then there's three phases that have been identified.
24 So the phasing is more similar to what you just suggested.

25 MS. GOETHEL: I'm thinking that it may be

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1 extremely problematic to actually get the ranking. And
2 that I -- it's just a thought we leave it at groupings.

3 CHAIRMAN HIXON: If we can't get there, then
4 we won't. I mean, it's as simple as that. Another
5 possibility regarding the ranking would be simply that
6 the subcommittees come up with a list. And then we just
7 simply do a grand ranking based on a plenary session
8 where each person simply turns in a piece of paper with
9 their individual rankings. And we use that as the rankings.

10 So it's an average ranking based on the full plenary
11 group rather than subcommittee. That's, that's another
12 possibility. So I think I had Tony and then
13 Jim.

14 DR. CHATWIN: Thank you, Mark. Subcommittee
15 C1 there were two comments. One was regarding the
16 definitions. And I think we can go back and clarify the
17 definitions, you know, what we meant.

18 Now when it comes to, the second was the
19 ranking issue. And I don't think we, there's anything
20 else we can do within the subcommittee. That's my sense
21 and I'm, welcome other subcommittee members to express
22 their opinions. But I don't think we, you know, can go
23 back and re-rank or use a different approach to rank
24 them. Because the issues will remain the same.

25 CHAIRMAN HIXON: Yes. You have already done

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1 the ranking within the subcommittee. So that's an
2 important issue. Okay.

3 I have Jim and then Terry.

4 DR. RAY: In our group C1/C3 yesterday, you
5 know, we did the ranking. Mark got to enjoy watching
6 some of the voting. I thought it be a useful exercise.

7 You know, we went through. And we had these rambling
8 discussions on the various different issues to kind of
9 bounce around the forced ranking. Narrowed it down so
10 you can see, you can see where there was common
11 understanding and common agreement. But because of
12 people's different backgrounds and different view on
13 things, you know, you had some issues where the vote,
14 you know, I voted one. The next guy voted an eight.

15 CHAIRMAN HIXON: Right.

16 DR. RAY: Well what that did, was that focused
17 our discussions along the lines where we really had a
18 big variance.

19 CHAIRMAN HIXON: Yes.

20 DR. RAY: And let's talk. You know, why did
21 you feel that way? You know, maybe I don't understand
22 something or maybe you didn't understand something. But
23 that really focused our discussions so that we could
24 really get to the ones where there's a big difference
25 in opinion. And I found that to be very useful instead

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1 of just rambling discussions. And you may totally miss
2 the point. And never came up in discussions.

3 CHAIRMAN HIXON: I understand that. Was
4 there, would that subsequent discussion while I wasn't
5 there, did that actually then bring consensus regarding
6 ranking?

7 DR. RAY: Well we started to have the
8 discussion then we kind of ran out of time. You know,
9 when you got there, we had already spent more time on
10 the other, on the other group of discussions on C3. When
11 we got to the C1, we were running out of time. And hopefully
12 today we'll have a chance to go back and reopen some
13 of those discussions. Because that was where we had the
14 bigger variance in our responses. But, but I felt it
15 really served a purpose in helping us highlight the areas
16 where we should have some discussion.

17 CHAIRMAN HIXON: Okay. Thank you Jim.
18 Terry.

19 MR. O'HALLORAN: I agree with Jim. And, you
20 know, and Tony. I think that in our subcommittee we really
21 did kind of run out of time. We did have some variance.
22 We had some, we had some pretty close agreements too.
23 So we can now go back to the ones where, you know, where
24 the ranking was, you know, was wide ranged. And we can
25 discuss it. And I think in a group, I think we can deliver

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1 back to the, to the committee a consensus, on what we
2 think is a good ranking.

3 CHAIRMAN HIXON: Okay. Thank you Terry.

4 Bob.

5 MR. ZALES: Yes, on our committee and I moved
6 in a conversation between Charlie and Joe. Apparently
7 the 400 and some odd sites that we said would probably
8 be in as an entry level thing, geographically it turns
9 out to be about 250 spots. In other words, it's like
10 this table. You've got several sites stacked on this
11 table. It's the same location. And, and after thinking
12 about what they, what they said, I'm now wondering and
13 this will be a question for either one or both of those,
14 could you, could -- is there the possibility that you've
15 got the geographic location and you've got this table,
16 well then you got a chair set on top of it and then you've
17 got the podium set on top of it. They're all a little
18 bit different. That even though you've got the same
19 location in trying to deal with entry criteria, could
20 one of those levels be kicked out? Do you see what I'm
21 saying? I mean, and in my mind, I'm looking at the
22 geographic location of the thing. So that if -- and I
23 see in that stacking clearly there must be some disconnect
24 in communication or coordination between the stacks as
25 to what that geographic site is doing. I don't know if

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1 that makes any sense or not. But.

2 CHAIRMAN HIXON: Terry.

3 MR. O'HALLORAN: You know, I think that what,
4 what you're talking about Bob is that, this is an important
5 issue for us. And one of the questions that I have, that
6 is, do we, do we want to restrict the number by criteria
7 that are coming in so others if they want to join they've
8 got to met criteria? Or do we want to be a little bit
9 more inclusive with a lesser criteria? And then ones
10 that come in with a lesser criteria, once they're in,
11 we help bring them up to a certain standard? And I don't
12 know if we've answered that kind of broader question.

13

14 MR. URAVITCH: Yes. I thought I just sort
15 of clarify what Bob raised and Charlie join in if I mis-speak
16 this. And I sat in on this group all day yesterday.
17 And one of the issues related between the 450 approximate
18 sites and the 250 sites was, well, Florida and California
19 have sites that are essentially established for water
20 quality conservation and nothing else. So if you throw
21 those out then we get done to a magic number of 250.

22 But the point is, that a lot of these, most
23 of them overlay some other kind of natural resource
24 protection. So you're really talking, in terms of places,
25 about 250. One of which, of the 450, is a water quality

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1 protection component. And that's really probably
2 something you want. So what it really comes down to is,
3 places, and how many different programs are operating
4 in those places which may mean what you really need is
5 better integration of what's there. So throwing out the
6 number 1,600 may only be, I don't know, Rikki and Lisa
7 over time would have to work out the data, there may
8 only be a thousand places even though there are 1,600
9 sites.

10 MR. ZALES: And that was, that was kind of
11 my point. Because we're focusing on numbers. We're
12 playing with zero to 1,600. And people say, well 1,600
13 is too many to put in here. Well in reality you may not
14 have 1,600 geographic places. You got 1,600 entities
15 that are playing with each other. But, but clearly if,
16 if the spot qualifies, in my mind, if the spot qualifies
17 under one criteria, the layered entities that are on
18 top of it, they're part of that system. We just need
19 to then figure out how to get those entities talking
20 to each other and get coordinated all on the same page.

21 So the number 1,600, like Joe said, it could be a thousand.

22 We don't know what it is because of the way the database
23 is. But I think that's critical information we need to
24 know.

25 PARTICIPANT: We have an answer.

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1 CHAIRMAN HIXON: Hold on. Rikki would you
2 please say what you had to say again.

3 MS. GROBER-DUNSMORE: It's approximately
4 1,400 places that we're talking about.

5 CHAIRMAN HIXON: Okay. So that the issue
6 is that, the 1,600 MPA sites are actually 1,400 places.
7 Is that clear to everyone?

8 (No audible response.)

9 Okay. Thank you. Okay. So what I'm hearing
10 is that Subcommittee C1/C3 membership believes they can
11 get back together and at least clarify the wording, if
12 not the ranking. And take a go at the ranking.

13 Max I'll let you speak in just a second.
14 And then --

15 MR. PETERSON: Well --

16 CHAIRMAN HIXON: -- go ahead.

17 MR. PETERSON: I have no notes on people,
18 notes on clarification. Nobody suggested clarifying,
19 any clarifying language. We can look at this again, but
20 I have no notes on it.

21 CHAIRMAN HIXON: Okay. I took some notes.

22 MR. PETERSON: You have some. Okay. But
23 second is that we can go back and discuss and will go
24 back and discuss the rankings. When we got all through,
25 we asked people, can you live with this ranking? Does

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1 this, is this okay with you? And, and there was only
2 a couple of them where there was like reduce by-catch
3 was all over the lot. You know, that was one that there
4 was the most variation. I think it had to do with people's
5 experience with the question. You know, something. But
6 we will do that. We will go back. And if you will give
7 me your notes or anybody else got notes, I will be glad
8 to have them.

9 CHAIRMAN HIXON: What I would suggest is,
10 increase the short phrases to a more thorough explanation.
11 For example if I'm just pointing out, reduce by-catch.
12 Rather than reduce by-catch, it would be reduce by-catch
13 by such and such a thing. By protecting sites or by-catch
14 species are extremely abundant or whatever it is.
15 Something that's a little more clear about what an MPA,
16 with that objective, would actually do. Would help.

17 MR. PETERSON: Thank you. One other thing,
18 I would like to suggest that, I would think if we went
19 through and, or initially got say somewhere between 2
20 and 400 sites.

21 CHAIRMAN HIXON: I'm sorry.

22 MR. PETERSON: If we got somewhere between
23 2 and 400 sites in our first go through. But I think
24 the question would be, if you looked at that, do you
25 have reasonable geographic distribution? Do you have

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1 a reasonable variety of them? Do they represent the area
2 that a lot of people think are very important? Or did
3 we pick up a bunch of dogs in the process? I think it's
4 going to take that kind of judgement to know whether
5 that 2 to 400 represents a, an initial system that we
6 all would say let's put the good housekeeping seal on
7 it.

8 CHAIRMAN HIXON: Absolutely.

9 MR. PETERSON: And I don't think we know that
10 yet.

11 CHAIRMAN HIXON: Yes. I agree with you Max
12 on that, and Max on that. And fortunately Rikki's there
13 with the database as that subcommittee's been working
14 through it, to try to answer those sort of questions.

15
16 Gil.

17 MR. RADONSKI: I don't disagree with
18 expanding the definitions. But you have to expect that
19 it's going to take considerably more time to debate each
20 one if they're greatly expanded and more, more defined.
21 I, you know, it's just going to happen.

22 CHAIRMAN HIXON: Yes. I -- what I'm not,
23 I'm not actually asking for expansion but clarification
24 really as much as anything else. You know, what does
25 the subcommittee mean by reducing by-catch?

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1 Specifically.

2 MR. RADONSKI: The devil is always in the
3 details.

4 CHAIRMAN HIXON: Okay. Well I know that --
5 he's always with the details. But to pass this forward,
6 you know, the wording is going to be everything, for
7 being explicit.

8 MR. RADONSKI: I think the only reason we
9 could have a vote on them yesterday --

10 CHAIRMAN HIXON: Yes.

11 MR. RADONSKI: -- because they were quite
12 vague.

13 CHAIRMAN HIXON: Okay. But do you believe
14 that serves the National System?

15 MR. RADONSKI: It needs to be done. I agree
16 with you.

17 CHAIRMAN HIXON: Yes.

18 MR. RADONSKI: I'm just stating what's going
19 to, what's going to happen once we go back in there.

20 CHAIRMAN HIXON: Okay. Okay. So one other
21 issue we could possibly deal with before breaking right
22 now is this issue of what each person's intuition is,
23 regarding a nice initial number of geographic locations
24 for the National System. We may -- this may be based
25 on information. It may just be based on gut feeling.

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1 But if I had a sense of that range, I think it would
2 help us determine, ultimately what we're going to accept
3 and pass. And, and then there's also the issue of, of
4 whether, I'd like to separate the issue of clarifying
5 the list from Subcommittee C1 and C3 from the issue of
6 ranking. In other words, we may, we may be able to reach
7 consensus on the list. We may not be able to reach consensus
8 on the ranking or vice versa. So I'd like, I would like
9 to keep those two issues separate.

10 I have Randy and then Ellen.

11 MR. BOWMAN: I would just like to clarify,
12 for the number of, the 450 or 200 places. It was an,
13 it wasn't a conscious decision. I don't think I
14 participated in that all day. I don't think it was a
15 conscious decision on any of the members so much as artifact
16 with the screens that were being applied to the data.

17 And all of a sudden this popped up with what seemed
18 both a reasonable screen and a reasonable number. The
19 subcommittee was not looking to find a way to get to
20 450. That's just what popped up. And so I think that's
21 something that we'd perhaps even might want to have a
22 presentation of the data with the different screens
23 attached to it. So everybody could see sort of what the
24 easy options are.

25 CHAIRMAN HIXON: Thank you, Randy.

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1 MS. GOETHEL: I had one other thought about
2 the ranking. If we're going to get bogged down on the
3 actual ranking, maybe we could take the phases and rank
4 the, rank them within their phases. So if you've got,
5 if you can agree that all four of these criteria should
6 be done in the first phase, maybe we could rank them
7 separately. It might be a little bit easier to come to
8 a consensus.

9 CHAIRMAN HIXON: It sounds like, it sounds
10 like somewhat reversing the process. If I understand
11 what these subcommittees did yesterday, is they first
12 did the rankings and then just grouped the rankings in
13 to three phases. Is that correct? That's correct. So
14 you're suggesting, start with the phases. Let's divide
15 these in to three phases.

16 MS. GOETHEL: Only if it looks like, you know
17 --

18 CHAIRMAN HIXON: Okay. So that's another
19 entry way in to that. Tony.

20 DR. CHATWIN: Thank you, Mark. My
21 suggestion would be that, I think the most practical
22 approach would be that we go back in to the subcommittee.
23 Clarify what's meant by these. And we either ask the
24 question to the full committee, if they can live with
25 what we can live with, as far as the ranking goes. And

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1 if the answer is "no" then do a committee wide ranking
2 exercise. Because doing -- I think there are various
3 ways to do this. But the end result will still have to
4 be something that everybody accepts. And so, and I don't
5 think it's the method that's going to determine
6 acceptability unless the committee. I think that's going
7 to have to be done in plenary, in plenary with a debate.

8
9 CHAIRMAN HIXON: All right. Thanks. So
10 what Tony is suggested is the Ad Hoc Subcommittee C1
11 and C3 reconvene. Clarify their wording as much as they
12 can. Clarify their rankings as much as they can. Bring
13 these rankings back to the full plenary session. See
14 whether those are acceptable or not. If the debate is
15 sufficiently intense, we will then switch to a plenary
16 ranking. Just each individual will rank both lists and
17 that will be the final ranking. Is there, are there
18 objections to that approach?

19 (No audible response.)

20 Okay. Let's give that a try.

21 Charlie.

22 DR. WAHLE: Thanks, Mark. I just wanted to
23 maybe add a little bit of insight in to what we might
24 do with this information and maybe take the pressure
25 of you a little bit. The ranking is important, but it's

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1 important also to realize that's it's not a ranking of,
2 this is more important than that. What it is really is,
3 a practical matter for us over the next few years with
4 limited resources, what would we put our dollars towards
5 to make an impact? So it's really question of, where
6 do we start, not where do we end. And because of that
7 the relative ranking isn't that critical. It's just
8 important that we start somewhere.

9 The other thing, you know, not to be to blunt
10 about it, but we can do that ourselves. If it's too
11 difficult for you, for many reasons, to actually rank
12 stuff, you could put whatever meaning you can do, we
13 can go from there. So it doesn't mean that the machine
14 stops, it's just the more information you could give
15 us the easier it will be.

CHAIRMAN HIXON: So
16 is -- then does this mean that, it's the actual list
17 of items, the objectives, that's more important to you?

18 DR. WAHLE: It's -- that's critical. Yes.

19 CHAIRMAN HIXON: Okay.

20 DR. WAHLE: And I think, given the discussion
21 that's it's really worth getting comfortable with what
22 those words mean.

23 CHAIRMAN HIXON: Okay. You agree with that,
24 Joe.

25 MR. URAVITCH: Yes. Except we truly do want

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1 your views on what the highest priorities are. I mean
2 it's not a academic exercise. I mean what Charlie means
3 is that, we need to know where to start. You know, but
4 we're relying on you to help tell us where the most important
5 places are to start. We're not going to ignore what you
6 all recommend. And I think this group can come to some
7 consensus on what they think are the most important
8 priorities here.

9 CHAIRMAN HIXON: Okay. Tony.

10 DR. CHATWIN: It's not on this issue, so I'm
11 willing to wait. I want to make a comment, respond to
12 your question about, how many sites. So I'm willing to
13 wait until this discussion is over.

14 CHAIRMAN HIXON: Yes. Go ahead.

15 DR. CHATWIN: Okay. And so my input to that
16 question is, I don't have a particular concern about
17 whether it's 200/400. I think we as a committee have
18 agreed that 1,600 is not compatible with the resources
19 that are available.

20 CHAIRMAN HIXON: That's my sense.

21 DR. CHATWIN: To -- we've written that.

22 CHAIRMAN HIXON: Yes.

23 DR. CHATWIN: So what I think is important
24 is that we do what we're doing which is, identify additional
25 criteria that will then sort of -- to inform the selection

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1 of the first wave of entrants. One thing that we haven't
2 talked about and we did talk a lot in the effectiveness
3 and implementation subcommittee.

4 CHAIRMAN HIXON: Yes.

5 DR. CHATWIN: Was willingness to be part of
6 the National System.

7 CHAIRMAN HIXON: Yes.

8 DR. CHATWIN: And I think we shouldn't, we
9 haven't talked about this, but I don't think we should
10 be turning down entities that really want to be part
11 of the National System. We haven't had a discussion about
12 that, but I think it's important. Because the most
13 important thing, in terms of participation, which
14 translates in to numbers, is that we build a constituency
15 for the National System. And that, that constituency
16 will help the National System grow in to it's next phase
17 and in to more complete state. And that's why the
18 geographic representation is so important. And that's
19 why I think willingness to participate is so important.

20 CHAIRMAN HIXON: There's this clear issue
21 of, associated with willingness is the incentives issue.
22 And unfortunately, we're not going to get there, this
23 particular meeting. But I believe it would -- I haven't
24 heard any objections to the idea that whatever we, whatever
25 we pass forward regarding entry criteria, there must

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1 be wording that includes the importance of the incentive
2 issues being fully addressed. And my hope is that --
3 I believe you're on that standing subcommittee that,
4 your standing subcommittee can get some substantial work
5 done by October on that. Bob.

6 MR. ZALES: Now to that point though, that's
7 an interesting thing that I haven't thought of yet. But,
8 but -- and I think where you're coming from is, you may
9 have some entity out there with a site that would like
10 to be in the system. They may not meet any of the criteria.

11 But at the same time, they may could do something for
12 the system. They could contribute to the system. So,
13 if that's the case, rather than the system feeding back
14 to the people, you've got a situation to where the potential
15 exists that a site could come in and maybe provide
16 information or provide something to the National System
17 that they're not able to do. So why would you want to
18 exclude them if that was the case? DR. CHATWIN:

19 Right. But we haven't had that discussion.

20 MR. ZALES: No, I don't -- I mean I want to
21 help you. I want to give you something if you'll let
22 me in your system. Rather than I want your system to
23 get back from you.

24 CHAIRMAN HIXON: Okay. Here's another issue.
25 The other issue is that we must reconvene in to our

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1 standing subcommittees after we complete this temporary,
2 these temporary assignments. Otherwise, we're going to
3 be at a lost to provide anything at our last meeting
4 in October. And when I say last meeting, of course, the
5 issue is that half of this committee turns around after
6 the next October's meeting. So it's a huge break point
7 in the, in the progress of this committee. So that said,
8 how much time do the Subcommittee Chairs believe they
9 need right now for reconvening?

10 PARTICIPANT: An hour.

11 CHAIRMAN HIXON: An hour. Okay.

12 MR. ZALES: Yes. We've got the staff down
13 there working with them.

14 CHAIRMAN HIXON: Okay. We're going to try
15 for one hour.

16 Here's what I'm going to ask. Since C1 and
17 C2 have been working together I don't see any reason
18 to split them up at this point because --

19 PARTICIPANT: C1 and C3.

20 CHAIRMAN HIXON: -- C1 and C3. I'm sorry.
21 C1 and C3. So they will, they will continue to work
22 together. Those members that, this is important. Those
23 members of Subcommittee A and Subcommittee C2, that is
24 the groups, the members who have completed their work,
25 it's very important at this point to engage with either

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1 one of the other two groups and participate. So I want
2 everybody at, at one of these two groups.

3 So B will remain here. Subcommittee B will
4 remain in this room. And I'm going to ask C1 and C3,
5 you don't have to go to the next building this time,
6 to go to Room 515. That's the room you used the first
7 day. Okay. And we'll reconvene at a quarter to ten.
8 Thanks everyone.

9 (Whereupon, the foregoing matter went
10 off the record at 8:45 a.m. and went
11 back on the record at 10:34 a.m.)

12 CHAIRMAN HIXON: Please be seated. Okay
13 folks. A very important issue has raised its head while
14 we were in our sessions. And that is we're going to lose
15 our quorum sooner than later. We started with fourteen.
16 With Tundi being added we have fifteen. I need to know
17 very explicitly when people have to leave. Who are leaving
18 before we adjourn. So Charlie you're leaving at three.

19

20 MR. BEEKER: I have a 4:30 flight so.

21 CHAIRMAN HIXON: You're leaving here at 3
22 though. Is that your intention? Okay. Is anyone else,
23 is anyone leaving before 3?

24 DR. AGARDY: I'm leaving at 11.

25 CHAIRMAN HIXON: I'm leaving at 11. Okay.

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1 So at 3 o'clock we lose our quorum.

2 MR. PETERSON: I'm going to have to leave
3 a 2. At 2 o'clock we're losing our quorum.

4 CHAIRMAN HIXON: At 2 o'clock we lose our
5 quorum.

6 MR. PETERSON: Mr. Chairman, under Robert's
7 Rules of Order, if a quorum is once established and a
8 meeting --

9 PARTICIPANT: You have to speak up in the
10 microphone.

11 MR. PETERSON: Unless, unless the bylaws or
12 rules of committee specify otherwise, if you have a quorum
13 and you enter it, you don't lose it by, that business
14 by the -- you don't, you don't continue to call a quorum
15 call. You continue to conduct business.

16 CHAIRMAN HIXON: So does that mean we're still
17 allowed to vote and reach consensus on issues?

18 MR. PETERSON: Yes. That's the general rule
19 under the Roberts Rule, yes. The, the -- now if you go
20 to places that have constitution bylaws like the U.S.
21 Congress does, then somebody can say, "Mr. Chairman I
22 suggest a lack of a quorum." Unless somebody suggest
23 a lack of a quorum and they have a quorum call, they
24 continue to conduct business if there's only six people
25 on the floor.

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1 MS. WENZEL: The Charter does not say anything
2 about the quorum.

3 MR. PETERSON: Yes.

4 CHAIRMAN HIXON: So Lauren just said that
5 the Charter does not say anything about the quorum.

6 PARTICIPANT: But the FAC rules?

7 MR. PETERSON: There's nothing under FAC
8 rules on this that I know of. FAC rules just set up the
9 committee. In other words, I'm comfortable with you going
10 ahead and conducting business after I leave. I would
11 -- Tundi are you comfortable with then going ahead and
12 conducting business after you leave?

13 DR. AGARDY: Yes. I'll leave one of my
14 children as a proxy.

15 (Laughter.)

16 CHAIRMAN HIXON: Okay. So here's -- what
17 I am hearing, what I am hearing from Max is that there's
18 nothing in either our whatever we call it our Charter
19 or Robert's Rules, as Max interprets Robert's Rules,
20 to inhibit us from continuing our work. The three people
21 who are leaving are completely fine with us continuing
22 our work, and continuing to vote, and try to finish our
23 work.

24 Bob and then Dan.

25 MR. ZALES: Just a suggestion. It may be

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1 that once we, we get to where we're below fourteen that
2 we just don't vote. We either work with consensus or
3 not. And then that way, it may not be an issue. But
4 that's just a suggestion.

5 CHAIRMAN HIXON: Dan.

6 DR. BROMLEY: Yes. An alternative while
7 we're here and two above quorum would be to have us take
8 a vote that authorizes us to proceed with the business
9 that we are here discussing. And to vote on it, up to
10 a certain time, even though some of our members might
11 have withdrawn, left. So in a sense, we as a fuller body
12 acknowledge the risk we face falling below a quorum.
13 But up until whatever you decide is, is the cutoff point
14 for our meeting today, that in that period we declare
15 that we've got an actionable quorum present.

16 CHAIRMAN HIXON: Do you so move?

17 MR. BROMLEY: I move.

18 DR. AGARDY: Second.

19 PARTICIPANT: Second.

20 CHAIRMAN HIXON: I hear two seconds. Anyone
21 object?

22 DR. CHATWIN: Discussion?

23 CHAIRMAN HIXON: Okay. Discussion.

24 DR. CHATWIN: I think that that's an
25 interesting proposal. I'm concerned about those that

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1 are not here to take this vote. And, you know, and I
2 suggest we do what Bob suggested, that is, let's try
3 to get as much business done while we have a quorum.
4 And then we just have to realize that if people don't
5 come to a meeting or have to leave early, we can't conduct
6 business.

7 I think that would be the more -- anyway
8 votes. I'm talking about votes. I think we can talk
9 about what standing subcommittees are going to do and
10 that sort of thing. But when it comes to votes to forward
11 recommendations, I think that becomes more complicated
12 even if the people here decide that we can do that.

13 CHAIRMAN HIXON: The issue, however,
14 involves members being absent who did not notify the
15 Chair that they were going to be absent. This places
16 a huge amount of power on people to, intentionally or
17 not, disrupt proceedings by simply not showing up.

18 DR. CHATWIN: Right. Good point.

19 CHAIRMAN HIXON: So there is a motion on the
20 table. Brian.

21 DR. MELZIAN: Brian Melzian, EPA. A hybrid
22 approach to all this, I'm just trying to brainstorm,
23 is do what you can do today. If there are discrete documents
24 that you would like to have final input from the folks
25 that have to leave later today, other members of the

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1 committee, those could be submitted to them electronically
2 perhaps. No?

3 CHAIRMAN HIXON: No.

4 DR. MELZIAN: For their approval?

5 CHAIRMAN HIXON: Not going to happen.

6 MR. URAVITCH: It's got to be in a public
7 quorum before a officially convened --

8 PARTICIPANT: Yes. DR. MELZIAN: So
9 there's no way a draft document could be sent just to
10 these committee members?

11 CHAIRMAN HIXON: Not with voting. No.
12 There would have to be a Federal Register Notice for
13 a teleconference for voting. And we would be too
14 constrained to do that.

15 I hear Tony and then Bob. Bob.

16 MR. ZALES: I mean, we've got, it's twenty
17 till 11. Two o'clock is when Max is leaving. So we've
18 got a little more than three hours. Unless we get in
19 to something extremely contentious with these three
20 subcommittees or sub-subcommittees whatever we're going
21 to call them, I don't see why it is we can't finish that
22 part. We don't have anything to vote for after that.
23 Do we? Or no.

24 CHAIRMAN HIXON: So I am aware of time myself.
25 Here's what I suggest. I suggest that, Max I need a

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1 Parliamentarian here. I would suggest that we table Dan's
2 motion temporarily. And return to that issue as 2 o'clock
3 approaches, if that issue is still important to address.

4

5 MR. PETERSON: Okay. Was -- the motion was
6 made and seconded?

7 CHAIRMAN HIXON: Yes.

8 MR. PETERSON: So it is a live motion. The
9 maker of the motion is entitled to withdraw it, if he
10 wishes. But it requires a second also to agree to withdraw.
11 That's proper. Otherwise you need to proceed to a vote.

12 MR. ZALES: Can't you move the table to motion
13 too?

14 PARTICIPANT: The mover has to. MR.
15 PETERSON: The mover, the mover should, the mover, it's
16 up to the mover to do what he wants to do. Now somebody
17 else can move to table that motion.

18 MS. GOETHEL: I'd like to table the motion.

19 MR. ZALES: And generally, my understanding
20 the motion to table is not debatable. So you either vote
21 it up or down.

22 MR. PETERSON: That's right. Now the motion
23 to table can and could include a time to bring it back
24 on the table. Or it can be open. It does require second.
25 And requires a majority.

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1 MR. ZALES: So, maybe you want to move not
2 towards debating. Maybe you want to move to table it
3 until just before 2 o'clock and bring it back.

4 CHAIRMAN HIXON: Okay. So there's a motion
5 to table Dan's motion, until just before 2 o'clock.

6 MR. ZALES: I'll second.

7 CHAIRMAN HIXON: Dan.

8 MR. BROMLEY: Object to vagueness of just
9 before 2 o'clock.

10 CHAIRMAN HIXON: Yes.

11 MR. BROMLEY: I wouldn't mind having the
12 movers to say 1:30 or 1:36.4. But, just before 2 o'clock,
13 I don't know what that means.

14 CHAIRMAN HIXON: Thank you. Would the mover
15 --

16 MR. BROMLEY: I'm open to Ellen's motion,
17 but come on let's being precise.

18 MR. ZALES: 1:45. That's good with me. I'll
19 second.

20 MR. BROMLEY: That's before 2 o'clock. I
21 can live with that.

22 MR. ZALES: Eastern Standard Time.

23 MR. BROMLEY: Whatever.

24 (Laughter.)

25 CHAIRMAN HIXON: There is a motion to table

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1 Dan Bromley's motion until 1:45.

2 MR. BROMLEY: Eastern Standard Time.

3 CHAIRMAN HIXON: Eastern Standard Time.

4 MR. BROMLEY: Daylight savings time.

5 CHAIRMAN HIXON: April 26th, 2007 in
6 Washington D.C. -- no, Arlington, Virginia. I hear no
7 seconds.

8 MR. ZALES: You've got a second.

9 CHAIRMAN HIXON: Oh, I do hear a second.
10 Now does this go straight to vote or do we have to discuss
11 this too?

12 MR. ZALES: It's non-debatable.

13 MR. PETERSON: It's a majority vote and
14 without debate.

15 CHAIRMAN HIXON: Majority vote without
16 debate. All those in favor say aye.

17 (Chorus of ayes.)

18 Those opposed.

19 (No audible response.)

20 MR. ZALES: Okay.

21 CHAIRMAN HIXON: The motion carries. Okay.
22 Let's get to work. Okay.

23 We're have two reports. I believe both groups
24 completed their work. Is that right C1 and C3? You did,
25 did you get finished? And everybody has stuff to either

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1 put up on the screen and/or distribute. So I'm going
2 to ask Bob Zales to give the report for Subcommittee
3 B please.

4 MR. ZALES: Okay. What we did, we created
5 a little document here that hopefully will explain the
6 intent of what we're trying to do, as a committee. And
7 once that gets distributed around you can look at it.
8 And once you see it up on the screen.

9 The federal -- what we're recommending is
10 that the Federal Advisor Committee envisions a National
11 System of MPAs that addresses the three purposes of the
12 National System. National Heritage, Cultural Heritage,
13 Sustainable Production. Is geographically represented,
14 is ecologically represented, including multiple sites
15 to ensure continued representation in the face of harmful
16 impacts. Represents all levels of governments,
17 governance. Federal, state, tribal, local, community.
18 Demonstrates adaptive management. Fosters cooperation,
19 coordination among managing agencies and sites including
20 overlapping and adjacent sites.

21 These characteristics would be achieved
22 initially through meeting at least one of the following
23 entry criteria. Site specific management plan. A formal
24 community based management agreement whether written
25 or oral. Additional sites could be evaluated on a

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1 case-by-case basis to address gaps in the National System
2 relative to the characteristics described above. These
3 could include sites that are part of a broader, part
4 of a programmatic management plans.

5 All sites in the National System will work
6 toward improved management by including the following
7 implemented in a manner to support the sites, goals and
8 objectives. Monitoring assessment, enforcement and
9 compliance, stakeholder involvement throughout the
10 process. Active outreach and education, on site or
11 dedicated staff.

12 Now, to explain this a little bit further.
13 The first bullet that addresses the three purposes clearly.
14 That's already stated in what work we've already done.
15 The geographic representative is to ensure that there
16 is geographic representation which was a concern. And
17 what we understand from Rikki this morning, clearly,
18 clearly the 400 or however many sites are going to end
19 up in this initial filter, are pretty well represented
20 geographically.

21 The ecological representative is multiple
22 sites to continue represent, representation in the face
23 of harmful impacts, includes those critical sites that
24 would serve that purpose.

25 The governance we've tried to put in here

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1 all types that would include federal all the way through
2 the tribal governance type stuff.

3 The adaptive management would be to allow
4 these sites to, to do exactly that, to adapt to what
5 is needed at the time and far in to the future.

6 And the cooperation/coordination between
7 managing agencies and sites including overlapping and
8 adjacent sites, that's to work both ways. As an ecological
9 system, horizontal. And also, as was explained this
10 morning, where you have sites that have multiple layers.

11 That you've got a single geographic location that might
12 be recognized as several different sites. This -- these
13 first few bullets, that is the goal, in a sense, of where
14 we're headed as what this means.

15 CHAIRMAN HIXON: I --

16 MR. ZALES: Do what?

17 CHAIRMAN HIXON: I would just clarify that
18 this basically came out of our declassified document.

19

20 MR. ZALES: Yes. Because as I said earlier
21 this, the document that we produced back in '05, this,
22 all this pretty much came out of there as to what we
23 spent a couple of years developing.

24 The site specific management plan. It's our
25 understanding that we're still at the same level of where

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1 we were yesterday of about 400 or some odd sites. Depending
2 on how those are broken down in to the vertical layering,
3 it could be in the neighborhood of 200 or so locations.

4 But because of the vertical layering you've got 400
5 or so sites on it.

6 The community based management agreement
7 whether written or oral takes care of the concerns from
8 Lelei and for the tribal aspects from Jim, and whatnot.
9 They should handle that.

10 And the case-by-case basis to add, those
11 would, they were used by the MPA Center itself as to
12 whether or not they would get in or not. This would help
13 address the comments that were made this morning by Tony
14 which I think is a good thing. That if you had some site
15 somewhere that somebody wanted to get in to the system,
16 that wouldn't necessarily qualify under any of this
17 criteria, that they could bring something positive to
18 the system, and possibly a benefit rather than trying
19 to receive a benefit, it would give them the ability
20 to get there. And the rest of it is pretty well clear
21 so. One question. Max.

22 MR. PETERSON: I think you need under this
23 community based management, you need to put the word,
24 "It's formal or community based." A state or federal
25 site that's been designated by federal law might not

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1 be based on a community based management agreement. So
2 I think you're talking about formal or community based
3 management agreement.

4 MR. ZALES: Yes. If you would.

5 CHAIRMAN HIXON: Yes. Max the idea with
6 these two bullets, as I understood the subcommittee,
7 was that the first bullet is, has to do with federal
8 and state sites. And the second bullet was included to
9 address the concerns by Lelei Pau concerning community
10 based sites in American Samoa and similar sites such
11 as that. The criteria or that one, at least one, of those
12 two bullets be addressed. All of the federal sites would
13 be addressed by the first bullet.

14 MR. PETERSON: Why don't you drop the word
15 "formal" then?

16 CHAIRMAN HIXON: I don't know who proposed
17 the word formal. I can't answer that.

18 MS. WENZEL: I think this was on the advise
19 of Jonathon Kelsey whose done some work in the islands.
20 And he just commented -- we were worried at first that
21 it seemed to open ended. When we just said "community
22 management" that it, that it was sort of carte blanche
23 to any site without any sort of evaluation. And that
24 by saying it was a formal agreement it implied some kind
25 of rigor or standards they would have to meet.

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1 MR. PETERSON: But the qualifications says
2 whether written or oral. So that could be pretty loose.
3 So it seems to be contradictory.

4 MR. ZALES: The written, the written or oral
5 part, is our understanding, is that like in some tribal
6 agreements with the federal government. You don't
7 necessarily have anything written, there is an agreement
8 there.

9 MR. PETERSON: Yes.

10 MR. ZALES: That undoubtably was oral and
11 somehow some, it's been formalized. So.

12 MR. PETERSON: This is not a big deal. I
13 was just trying to clarify. What don't you move ahead.

14 CHAIRMAN HIXON: Thank you, Max. Tony.

15 DR. CHATWIN: Thank you, Mark. I commend
16 Subcommittee B. I think this really covers the things
17 that we've been discussing well. I have two suggestions.

18

19 CHAIRMAN HIXON: Yes.

20 DR. CHATWIN: One is that when we start, you
21 say the Federal Advisory Committee envisions the National
22 System. I think we need to be a lot more prescriptive
23 to the Secretaries of Interior and Commerce that we
24 recommend that they build a National System that has
25 these characteristics.

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1 CHAIRMAN HIXON: Specific suggestions for
2 wording.

3 DR. CHATWIN: Well okay. That the Federal
4 Advisory Committee recommends that the National System
5 of MPAs -- I'll have to work on the language. But it's
6 basically saying, not saying that we envision it, but
7 that the National System should address these issues.
8 So I'll work on language.

9 CHAIRMAN HIXON: Yes. Why don't you work
10 on language?

11 DR. CHATWIN: There's another -- one more
12 comment.

13 CHAIRMAN HIXON: Yes. Please do.

14 DR. CHATWIN: On -- when we go, when it goes
15 to, these characteristics would be achieved initially
16 through meeting at least one of the following entry
17 criteria.

18 CHAIRMAN HIXON: Correct.

19 DR. CHATWIN: I am concerned that this makes
20 no reference to all the other work that we've done prior.

21 In that, a number of characteristics. We've talked about
22 lasting protection. All those things that characterize
23 an MPA --

24 CHAIRMAN HIXON: Yes.

25 DR. CHATWIN: -- need to be referenced here.

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1 Because here we might, it might be interpreted as saying,
2 you know, all that is not no longer important.

3 CHAIRMAN HIXON: Yes. Actually what would
4 have already happened, but I think it's important to
5 make that explicit -- I agree with you. Is that that
6 initial, the initial overarching filter of what is an
7 MPA, remember the definitions of lasting --

8 DR. CHATWIN: Yes.

9 CHAIRMAN HIXON: -- and whatever those five
10 key words were, would have already been applied to the
11 original MMA inventory. So the starting place are things
12 that are bonafide MPAs according to the rigid definition
13 that's been developed. But I -- a phrase describing that
14 somewhere in this document is a good idea, I believe.
15 So I hear you.

16 DR. CHATWIN: Okay.

17 CHAIRMAN HIXON: Okay. Tundi.

18 DR. AGARDY: I have a recommendation on how
19 to do that possibly. If you said, these characteristics
20 would be achieved initially through those MPA nominations
21 that meet at least one of the following criteria. Then
22 it's clear that it's the MPAs not the MMAs.

23 CHAIRMAN HIXON: Are those nominated MPAs?

24 DR. AGARDY: Yes. Either one.

25 CHAIRMAN HIXON: They're already MPAs is the

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1 idea. Okay. So stepping back to our first day, when
2 Jonathon made his presentation on the first day the,
3 the list of MMAs will have already been converted to
4 a list of MPAs. And that, by the rigid definitions of
5 --

6 PARTICIPANT: They're candidates.

7 MS. GOETHEL: No, that's not. They have to
8 be nominated by their governing body.

9 CHAIRMAN HIXON: We're not talking about the
10 National System. We're not talking about the National
11 System of MPAs. We're simply talking about a list of
12 sites that are recognized by the definition of MPA, as
13 being MPAs. That's simply it. So -- and that filter
14 once applied still starts you with 1,600 sites. That,
15 by the federal definition of MPA, are MPAs. They're not
16 part of the National System.

17 MS. GOETHEL: No, I disagree. I need, can
18 we have clarification on that?

19 CHAIRMAN HIXON: Well let's get
20 clarification from the Feds please.

21 MR. URAVITCH: No, Mark is correct. I mean,
22 we have an inventory right now. You apply the MPA criteria,
23 the five definitions that we have. And if they meet those,
24 those are Marine Protected Areas. But if you look in
25 the Executive Order there's a requirement to develop

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1 a list of MPAs. And that list would be, what's in the
2 MPA System.

3 MS. GOETHEL: All right. I'm going to ask
4 a very specific question.

5 CHAIRMAN HIXON: Okay.

6 MS. GOETHEL: Are you, what, what areas would
7 you consider MPAs in New England?

8 MR. URAVITCH: I would have to look at the
9 inventory. I mean, I --

10 MS. GOETHEL: Which ones -- to me the only
11 one that would make it would be STOA and Bank.

12 MR. URAVITCH: Oh, no. I mean, you've got
13 --

14 MS. GOETHEL: Okay.

15 MR. URAVITCH: -- quite a few wildlife
16 refugees, you have several national estuarine research
17 preserves.

18 MS. GOETHEL: Okay. That's fine.

19 MR. URAVITCH: And I would have to look at
20 the fishery sites. Ralph, I don't know if you know.
21 Ralph Lopez. We would have to look at the inventory to
22 see what --

23 MS. GOETHEL: Okay. This, this --

24 MR. URAVITCH: -- both the region has placed
25 on the inventory.

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1 MS. GOETHEL: The region placed MMAs on the
2 inventory as MMAs.

3 MR. URAVITCH: Right.

4 MS. GOETHEL: And this is a really big problem.
5 This is not a little problem. The counsels all over
6 the country will have an absolute fit if the MMAs that
7 they've placed on the MMA list are automatically put
8 in to an MPA. Then that is so problematic I can't even
9 explain it to you.

10 PARTICIPANT: It would be helpful if you
11 could.

12 MR. URAVITCH: I mean, we have criteria that
13 have gone through a couple sets of public comment. And
14 I've seen no objection from any of the counsels on the
15 definition.

16 MR. PETERSON: Joe, I don't think anybody
17 thought that the MPA Center would suddenly convert a
18 state area --

19 MS. GOETHEL: No.

20 MR. PETERSON: -- in to something called a
21 recognized Federal MPA by fiat. I think they're
22 candidates under the Draft Framework here. If they met
23 the criteria for an MPA, they can be nominated by the
24 agency to become an MPA.

25 MR. URAVITCH: No, they become nominated to

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1 become part of the system.

2 MR. PETERSON: Okay. But they're going to
3 be, you're going to have non-system MPAs and --

4 MR. URAVITCH: Sure. There are. By
5 definition, there have to be.

6 MR. PETERSON: Well that's not the name that
7 the formal agencies have designated, call them. So I
8 think you're going to create a huge amount of confusion
9 out there, if you make every marine sanctuary an automatic
10 MPA.

11 MR. URAVITCH: I think from a scientific
12 standpoint that either meet the definition or they do
13 not.

14 MR. PETERSON: I'm not talking about
15 scientific. I'm talking about -- I think Ellen is exactly
16 right.

17 MR. URAVITCH: I know what she's saying.
18 I know what you're saying. But, but --

19 MR. PETERSON: Yes. But nobody ever
20 explained to me in this whole process, that somebody
21 going to wave a wand and make all those areas out there
22 in to instance MPAs.

23 MR. URAVITCH: They already are.

24 MR. PETERSON: No, they're not either. Not
25 -- if you ask the state, if you ask the state are these

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1 MPAs, some of them are and some of them aren't. And they
2 govern. It's their rules that govern. Not something
3 MPA Center's done.

4 MR. URAVITCH: I mean, I don't know how you
5 can set criteria and say they met the criteria, but they're
6 not MPAs. They're not part of the system.

7 MR. PETERSON: Well you are having MPAs that
8 are not, that's not capitalized. You're just saying
9 everything out there has some level of protection.

10 MR. URAVITCH: If it meets the specific
11 criteria which went through two sets of public comment
12 periods.

13 MR. PETERSON: But I don't think, for example,
14 the forest service has national seashores --

15 MR. URAVITCH: Yes.

16 MR. PETERSON: -- that include marine areas.
17 Now if you went to that forest and said, "This is now
18 a marine protected areas," I think they would object
19 strenuously. Nobody asked them. It's not part of --
20 nobody went to public involvement process to do that.
21 You just suddenly did it by fiat.

22 MR. URAVITCH: We did ask the forest service
23 five years ago. I mean, but anyway. I'm not going to
24 monopolize this.

25 CHAIRMAN HIXON: Okay. I have Randy and then

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1 Ellen.

2 MR. BOWMAN: I think perhaps there's a little
3 confusion in terminology here. What Joe is saying is
4 that, internally the, these areas meet the criteria,
5 meet the definition of MPA. But that does, that has no
6 external consequences whatsoever. And there is no, I
7 doubt that any of us would ever publish that fact. It's
8 simply that everyone needs to be aware, is part of the
9 screening process, that all of these areas meet the criteria.

10 But we can not -- there is no such thing -- MPA is a
11 meaningless term, at least in the federal lexis, unless
12 it is designated as part of this system. It's a label
13 that you can stick on something. But it has no meaning.

14 And I think the fact that these areas meet the criteria
15 has no meaning and no consequence except that it makes
16 them eligible for inclusion in the system. And so, I
17 mean, I don't see any reason if we don't publish a list
18 that says that, there would ever be any controversy or
19 anything else because it's simply internal criteria that
20 we're working with.

21 CHAIRMAN HIXON: Joe, then Ellen, then
22 Lauren.

23 MR. URAVITCH: Yes. I mean, there's a
24 serious problem here in terms of how we proceed. Because
25 one of the things we've heard from the committee is,

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1 get rid of MMAs. That it's confusing to have MMAs and
2 MPAs. And now we're hearing exactly the opposite. So
3 do you want us to maintain this inventory of Marine Managed
4 Areas under the old definition, in addition to something
5 else? Which we don't tell the public about, which is
6 those of the MMAs that meet the MPA criteria, but then
7 go forward and select, nominate these sites to the agencies
8 as the process says. And then have them come back and
9 say yay or nay whether they want to participate. That
10 means maintaining three different databases.

11 MS. GOETHEL: Can I?

12 CHAIRMAN HIXON: Ellen.

13 MS. GOETHEL: All right. I'm going to tell
14 you exactly why I'm concerned. One is that, I know that
15 the, at least the New England Counsel, was very concerned
16 that they had not nominated anything for an MPA.

17 Everything that they have are considered by the counsels.

18 And I know that the Southeast feels the same way. But
19 those areas that they have managed are Marine Managed
20 Areas for fisheries. They are not MPAs.

21 And if you turn any of those areas, that
22 the counsels have designated and managed, you change
23 the name in to an MPA without a public process. Which
24 means that the public in the area where the MPAs are
25 get to comment on it. This whole thing is going to blow

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1 up in your face. So if you need to keep two lists, then
2 you need to keep two lists.

3 But on my second thought is, I still need
4 to hear verbally that there will not be any MPA, any
5 MMA or MPA put in to the federal system without the
6 nomination of the governing body. And that means they
7 have not been nominated yet. It needs to be a whole new
8 process. I need to hear that in the record please.

9 CHAIRMAN HIXON: Okay. So noted.

10 Lauren and Randy.

11 MS. WENZEL: I understand your issues. And
12 I guess I just want to clarify, that this is really a
13 public perception issue rather than any issue of a change
14 in governance or anything to do with any kind of change
15 that occurs when something is called an MPA. And I think,
16 what we need to do is take these issues about public
17 perception in to, yes exactly, in to our decision making
18 process and come up with a solution that will address
19 that. But I just wanted to be very clear that it's, it's
20 a public perception issue and not a governance issue.

21 MS. GOETHEL: Answer my question, Lauren.
22 I really need it answered.

23 MS. WENZEL: It will not change.

24 MR. PETERSON: It's more than a public
25 perception, Lauren.

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1 MS. GOETHEL: I need for you to say in the
2 record that no MMA, on the list now or in the future,
3 will be made in to an MPA without the public, without
4 the governing body nominating it in the future.

5 CHAIRMAN HIXON: Okay. I heard that. Dan
6 Bromley.

7 PARTICIPANT: I defer to Jonathon.

8 CHAIRMAN HIXON: Where is Jonathon?

9 MR. ZALES: Jonathon. Is Jonathon here?

10 PARTICIPANT: Just explain what the public,
11 what the process is right now in the Draft Framework
12 that's going out at the time.

13 MR. KELSEY: The process that's in the
14 Framework right now is that there are a set of criteria
15 for the MPA definition. Area lasting, marine reserved,
16 protection. And those are, establishes the criteria for
17 MPA. And the process, as it goes, is that either the
18 MPA Center looks through existing information that we
19 have about areas that are out there, or a state identifies
20 one of its areas, or a federal agency identifies one
21 of its areas as meeting those criteria and contributing
22 to the system. And dialogue ensues between the Center
23 and the management agency to determine whether to nominate
24 that site to the National System.

25 If the managing agency decides to nominate

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1 that site, then there's a short nomination form. We have
2 most of the information in the inventory already. And
3 a Federal Register Notice is published soliciting public
4 comment on that nomination of that area as an MPA in
5 the National System.

6 That's the, that's the process that's
7 outlined in the Framework. So those sites that are
8 nominated are called Candidate MPAs.

9 CHAIRMAN HIXON: Okay. So here's what I'm
10 hearing. If I can paraphrase and make sure I understand.

11 I'm hearing that there was an MMA inventory developed.

12 That MMA inventory will undergo the filter of the five
13 point definition of MPA. And then you will then have
14 an inventory of Candidate MPAs. Those Candidate MPAs
15 will then be, the governing agencies or governing bodies
16 will then be notified that they are Candidate MPAs. And
17 then a form, if they chose, they will fill out a form
18 to nominate these sites for the National System of MPAs.

19 And at that point the filters that we're developing
20 will come in to play to see whether they qualify or would
21 you put --

22 MR. KELSEY: They probably come in to
23 play ,they probably come in to play in the nomination
24 process.

25 CHAIRMAN HIXON: Yes. I would think so.

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1 MR. KELSEY: They would have to meet those
2 things in order to be nominated.

3 CHAIRMAN HIXON: Okay.

4 MR. KELSEY: Like the Site Management Plan.

5 CHAIRMAN HIXON: So for any MMA to become
6 an MPA in the National System three things have to happen.
7 The governing body must nominate that site. That site
8 must pass the five point definition of an MPA. And that
9 site must pass whatever filtering criteria that
10 Subcommittee B is working on. And they enter the National
11 System.

12 MR. KELSEY: Right. A public comment would
13 role in. It would be furnished to the managing agency.

14 And then they would make a final decision as to whether
15 to include that site in the system based on that comment,
16 if there was any received. That's, that's the process.

17
18 And you did say something that there would
19 be a list of or an inventory of Candidate MPAs. And we
20 don't -- there is, there won't be any formal list of Candidate
21 MPAs. Now we have to look, look and keep track of ones
22 that are candidates. But it's not a designated list that
23 will be, you know, have any kind of formal --

24 CHAIRMAN HIXON: So --

25 MR. KELSEY: -- weight or bearing to it.

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1 If anything it's information.

2 CHAIRMAN HIXON: So to paraphrase again, if
3 I get this right. The MMA inventory will undergo a dual
4 filter. One, that's the five point definition of MPA.
5 One, is the entry criteria that are ultimately adopted.
6 This will result in Candidate MPAs that then may or
7 may not be nominated by the governing body. If they are
8 nominated and they've passed the criteria in the definition,
9 then they become initial sites in the National System.
10 Is that correct?

11 MR. KELSEY: Well there's a step after the
12 nomination. That's the public comment.

13 CHAIRMAN HIXON: Okay.

14 MR. KELSEY: And then the final decision
15 making by the agency.

16 CHAIRMAN HIXON: Okay. Okay.

17 MS. GOETHEL: The agent, the governing agent.
18 Or --

19 MR. KELSEY: Yes. The governing agency.

20 MS. GOETHEL: Thank you.

21 MR. KELSEY: So like, in the counsel's case
22 we haven't made this formal determination, but this is
23 something that has to be worked out between the Fishery
24 and Management Counsels and the National Marine Fisheries
25 Service. But how that process of nomination will work

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1 between the two of them given their relationship, right.

2 And we clarify that in the Framework that that's a,
3 that's something that needs to be worked through.

4 CHAIRMAN HIXON: Okay. Does that clarify
5 the process for everyone?

6 (No audible response.)

7 Okay. I have Randy, and I have Mike, and
8 I have Max.

9 DR. BROMLEY: No. You have me and I deferred
10 to --

11 CHAIRMAN HIXON: Oh, I'm sorry. You
12 deferred. Sorry.

13 DR. BROMLEY: Sorry. I got pilloried this
14 morning for being late so I'm kind of in a foul mood.

15 So I'm going to strike back when the occasion. You know,
16 being the necessary person to make a quorum exposes you
17 to all sorts of public ridicule. So anyway.

18 Ellen raises a point that is of a different
19 variety of a concern that I've had. And Ellen it cuts
20 both ways. I have over the years been unhappy with claims
21 that Fisheries Management Counsels were in the business
22 of MPAs. So at one level I heard counsels liking to claim
23 credit that they are doing what MPAs do. So while
24 sympathetic to your concern, I've also thought that we
25 have a serious problem of ambiguity here.

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1 And now to take Ellen's side, I'm not at
2 all happy with the terminology "Candidate MPAs." And
3 so I -- Ellen has reminded us that, you know what, we
4 have finessed this ambiguity problem all the way along.
5 And now it's coming back to bite us.

6 MR. KELSEY: They're not Candidate MPAs.
7 They're Candidate National System MPAs.

8 DR. BROMLEY: Candidate national system, but
9 I heard the word Candidate MPAs.

10 So Ellen's point is, I think, pertinent.
11 That we still have not come to grips with it. And I think,
12 I don't want to hold things up, but we do have still,
13 I mean, if -- we still have a problem. We still have
14 a problem. Perception, perception is all that matters.
15 There is no reality. There's just perception.

16 PARTICIPANT: Could you use the mic?

17 DR. BROMLEY: Yes.

18 CHAIRMAN HIXON: Randy, Mike, and Max.

19 MR. BOWMAN: Okay. Jonathon covered 95
20 percent of what I was going to say because obviously
21 we did propose in the Framework how we would do this.
22 The only thing I could say is there is no intention
23 at this point on the part of the Interior Department
24 at least to depart from that. And I'm sure Mary can comment
25 from Commerce. But ultimately we keep, those of us sitting

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1 here today, don't have authority to give the committee
2 absolute assurances that it won't because that's something
3 that ultimately resides with the Secretary as to how
4 they proceed. But there's no intent on our part now to
5 depart from the Framework.

6 CHAIRMAN HIXON: Mary, do you want to add
7 to that or address that?

8 MS. GLACKIN: I'll wait until the other --

9 CHAIRMAN HIXON: Okay. Mike Cruickshank.

10 DR. CRUICKSHANK: I was just wondering if
11 there, whether these Candidate MPAs are presented in
12 the Federal Register, is that one for every site because
13 these have to be addressed by the local people presumably?

14 MR. KELSEY: One what for every site?

15 DR. CRUICKSHANK: One nomination, I mean,
16 one --

17 MR. KELSEY: One Federal Register Notice for
18 every site?

19 DR. CRUICKSHANK: Yes.

20 MR. KELSEY: Or there -- one federal that
21 would get very expensive. One Federal Register Notice
22 could list multiple sites that are being nominated to
23 the system. The place would be in clearance hell.

24 CHAIRMAN HIXON: Max.

25 MR. PETERSON: Maybe we can get by this by

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1 simply saying the MPA Center could look at all of the
2 sites out there and could say, "These meet the criteria
3 of an MPA." That doesn't make them an MPA. So I think
4 it's very important that we not publish a list that says,
5 "These are MPAs." We can say, "These sites meet the
6 criteria for an MPA," but it would take action of a
7 nominating agency and a due process to convert them to
8 part of the National System. But if you put the word,
9 simply put, "These areas meet the criteria of an MPA."

10 Then you haven't said, these are suddenly MPAs. That
11 was my problem. That suddenly -- because that list will
12 get published. If you put out a list that says, "These
13 are MPAs." It will get published. The people make a
14 Freedom of Information Request, you'll have to release
15 it. And as Dan says -- so if you just put that one word
16 in there, "These meet the criteria of an MPA. But it
17 takes action of the nominating agency and so on." And
18 that's what we said in the Framework. "It takes action
19 of the nominating agency to consider them to make them
20 a formal part of the National System of MPAs." It doesn't
21 change the status quo. We said that. There's no change
22 in authority. Okay. Would that do you, Joe?

23 MR. KELSEY: You never used the word
24 candidate.

25 MR. PETERSON: You don't use the word

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1 candidate. You just say, "They meet the criteria."
2 They're not candidates. They're nothing.

3 MR. KELSEY: They're candidates for the
4 National System though.

5 CHAIRMAN HIXON: Okay. I have, right now
6 I have Steve and Tony.

7 DR. MURRAY: I don't know if I'm missing
8 something here, but it seems to me that we go back to
9 our June 2005 Report, you know, we, we went through a
10 whole lengthy set of discussions about an, what is an
11 MMA, what is an MPA. So if we forget about this candidate
12 and all that other sort of issues, you know, we described
13 what a particular spatially protected area is. We reached
14 consensus on it. We've got a definition for an MPA.
15 And we have readily stated that MMAs denote a broader
16 set of areas under a spectrum of place/space management.
17 And that MMAs are a narrower group of those. So it seems
18 to me that these guys have gone around. They put together
19 an inventory. They now have criteria. And those have
20 been well established. Agreed upon by us. Moved on
21 forward. So some of those are MPAs.

22 Now, the next part is moving some of those
23 managed units, spatially managed units in to a place
24 where they could become part of a National System. But
25 in terms of what they are or what they aren't, I think

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1 that's been decided by all of us for a long time. And
2 has worked its way through approvals.

3 CHAIRMAN HIXON: Tony.

4 DR. CHATWIN: Thank you. And thanks for the
5 clarification of the process. I encourage the Center,
6 NOAA, excuse me, Interior Commerce to publish a list
7 of sites that meet the criteria with that title saying,
8 "These sites meet the criteria." Because -- and ideally
9 that would be done together with the Framework. We talked
10 all along, these last three-four years, we've been talking
11 about public participation, and engaging, and being open.

12 And I think that the first question that will arise
13 from people in all different areas around the country
14 is, well what about my site? Does it meet? Does it not
15 meet? And so I think when we have worked extensively
16 to be very clear and transparent about these criteria.

17 And I think that it behooves us to have a list of sites
18 that meet those criteria.

19 The next section should say, "For these sites
20 to be included in the National System, this is what is
21 going to occur." And I think that we should give more
22 information, rather than less, to address these issues
23 of perception. And and here I see no fear. And it
24 addresses all the deliberations that we've been having.

25 These are the criteria we came up with. They have been

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1 reviewed. These are the sites that meet those criteria.

2 And this is the process that they have to go through
3 to become part of the National System MPA. And I think
4 it addresses all concerns. A completely open process.

5 MR. KELSEY: I'm totally open for
6 recommendations to come forward.

7 CHAIRMAN HIXON: I would like to suggest a
8 following change in wording to try to expedite the processes
9 before us today. So instead of this second paragraph
10 that reads, just scoot that up, that reads, that currently
11 it reads, "These characteristics would be achieved
12 initially through meeting at least one of the following
13 entry criteria." And it lists, "Site Specific Management
14 Plan and Formal Community Based Management Agreement."
15 Is it there? Yes. Here is what I suggest the change
16 being.

17 "These characteristics would be achieved
18 initially by the following entry criteria. One, the site
19 meets the defining criteria of being an MPA." However
20 we want to word that. "Two, the site meets at least one
21 of the two following criteria. And three, the site is
22 nominated by the agency responsible for that site."

23 PARTICIPANT: That's what's missing here.

24 MR. URAVITCH: Can you give that to Lauren
25 and let her pull it up --

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1 CHAIRMAN HIXON: I can give that to Lauren.
2 And long as there's receptivity to that wording.

3 DR. BROMLEY: It's a nomination process,
4 which is missing.

5 MR. URAVITCH: We can read it, we can't read
6 it.

7 PARTICIPANT: Give that to Lauren and let
8 her type it up.

9 MR. URAVITCH: Yes. Just so we can read it
10 and see to what, make sure we comprehend.

11 CHAIRMAN HIXON: Bob, will you take over the
12 discussion.

13 MR. ZALES: Yes. Tony.

14 DR. CHATWIN: As we are, excuse me, word
15 smithing this, could I make that suggestion of language?
16 It's for the first paragraph as well. It's very simple.

17 MR. ZALES: Sure.

18 DR. CHATWIN: And instead of saying, "The
19 Federal Advisory Committee envisions a National System
20 of MPAs," I think we should say, "The Federal Advisory
21 recommends, the Federal Advisory Committee recommends
22 that the National System of MPAs.." bullet, address the
23 three purposes, "is geographically representative," and
24 so forth.

25 MR. ZALES: Can you provide that to --

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1 DR. CHATWIN: Yes.

2 MR. ZALES: -- whoever is going to type?

3 DR. CHATWIN: Is that okay?

4 MR. ZALES: Yes.

5 MR. PETERSON: Bob, one thing I do not believe
6 an area becomes a candidate until it's nominated. Because
7 I meet the criteria for the President of the United States,
8 but I'm not a candidate.

9 (Laughter.)

10 So I don't think an area is a candidate until
11 it's nominated. Up to that point it may meet the criteria,
12 but we don't put it in to the candidate status. Means
13 it's running to be in the MPA until it's actually nominated.
14 So don't use, don't use candidate at all unless it's
15 already been nominated.

16 MR. ZALES: That's not, it's in what they're
17 putting up there, it's not in the document.

18 MR. PETERSON: That's right. So I was just
19 addressing Jonathon said, they were automatically a
20 candidate. I don't think so.

21 MR. ZALES: Okay. Any other comment?

22 MR. PETERSON: Yes. I want to be nominated
23 for president.

24 MR. ZALES: Can we get this thing up? Tony.

25 DR. CHATWIN: Perhaps it would be good for

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1 Jonathon to clarify this. But when I, when I heard him
2 describe the process, he said, that once the Federal
3 Register is published that's when they become it referred
4 to as candidates. And is that correct?

5 MR. KELSEY: Once the, once the --

6 MR. ZALES: Microphone.

7 MR. KELSEY: -- once the agency agrees to
8 nominate the site, then it's a candidate for the National
9 System MPA. And if I didn't say that clearly, then that's
10 what I meant.

11 MR. ZALES: If you've got a site you would
12 like to be a candidate, then you're going to contact
13 Jonathon. Say, "I want this site." Then he's going to
14 say, "Okay. It's a candidate." Then he's going to publish
15 in the Federal Register. Tony likes this site, and here
16 it is. And it goes out to the public, and what do you
17 all think? Correct? That's simplified.

18 MR. KELSEY: But that's different than and
19 Tony had mentioned earlier which would be just an
20 informational list of those sites that meet the criteria.

21 DR. CHATWIN: And they're not candidates.

22 MR. KELSEY: Those aren't candidates for the
23 National System. Those are, those meet the five criteria
24 that would be established. The area, lasting.

25 MR. ZALES: To get to Max's point. Because

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1 it doesn't become a candidate until Max nominates it
2 to be a candidate.

3 MR. KELSEY: Right.

4 MR. PETERSON: Until somebody nominates it.
5 Right.

6 MR. KELSEY: Until the managing agency
7 nominates it.

8 MR. ZALES: Bob.

9 MR. O'HALLORAN: Okay. After you, after you
10 get to that you go through the Federal Register. You
11 get comments. Would you clarify what happens then? I
12 mean, what, you say you mentioned something that if based
13 on the comments the governing body could say, could withdraw
14 the nomination if they wanted to?

15 MR. KELSEY: If they wanted to.

16 MR. O'HALLORAN: They could withdraw it or
17 they could accept it.

18 MR. KELSEY: Right.

19 MR. O'HALLORAN: Okay.

20 MR. KELSEY: And if they accept it, they,
21 you know, that's where the formal entry in to the system
22 and on to the list.

23 MR. O'HALLORAN: Okay. So it goes through
24 process. Comments. And they accept it. And then
25 they ,and at that point then they become part of the

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1 National System. That's the final step. Okay.

2 MR. PETERSON: I think that if the comments
3 are to mean anything, a decision maker has to look at
4 the comments and make a final decision. And either the
5 nominating agency could withdraw it, it could stay there,
6 but the person making the decision could decide not to
7 put it in to the system. We can't, we can't, we can't
8 decide what somebody will do about formal public comment.

9 They make a decision based on that, based on, you know,
10 all kinds of things. But public involvement, you must
11 show how you use public involvement in making a decision,
12 by law.

13 MR. ZALES: Any other comments till we get
14 the screen up?

15 MS. GOETHEL: I just want to say thank you.
16 That it's cleared. It's on the public record. And I
17 really needed that. And I really appreciate it. I think
18 we're all very clear now on exactly the process hopefully
19 that will be initiated when this goes through. So thank
20 you.

21 CHAIRMAN HIXON: I appreciate you raising
22 that point, Ellen. That clarity was not obviously
23 apparent to everyone in the room. So here's the suggested
24 change in wording. "These characteristics would be
25 achieved initially by the following entry criteria. One,

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1 the site meets the federal definition of Marine Protected
2 Area. Two, the site meets at least one of the following
3 criteria; Site Specific Management Plan. Formal
4 Community Based Management Agreement whether written
5 or oral. And three, the site is formally nominated by
6 the agency responsible for that site."

7 MS. GOETHEL: I just have one -- the federal
8 definition is not necessarily the definition that the
9 FAC used in their report. You might want to be more,
10 a little more specific on what your definition is.

11 CHAIRMAN HIXON: I think it says, it's the
12 same definition.

13 MS. GOETHEL: Okay. Okay.

14 MR. ZALES: Dan.

15 DR. BROMLEY: I think we -- does that work?
16 I think we do have a problem with number three now.

17 CHAIRMAN HIXON: Yes.

18 DR. BROMLEY: I mean it's got to be one --
19 let's see, meets one of the following criteria.

20 CHAIRMAN HIXON: At least one of the following
21 criteria.

22 DR. BROMLEY: Oh, I see. Two. Okay.

23 CHAIRMAN HIXON: Okay.

24 DR. BROMLEY: Then three, needs to, in other
25 words, that when I read it initially I thought that the

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1 area could be brought in against the wishes of it.

2 CHAIRMAN HIXON: I'm going to make this very
3 clear.

4 DR. BROMLEY: Yes.

5 CHAIRMAN HIXON: There. "These
6 characteristics will be achieved initially by the
7 following three entry criteria." One, two, and three.

8 DR. BROMLEY: Yes.

9 CHAIRMAN HIXON: Whereas number two happens
10 to have --

11 DR. BROMLEY: Okay.

12 CHAIRMAN HIXON: -- two.

13 DR. BROMLEY: It's clear. Yes.

14 MR. ZALES: Good?

15 DR. BROMLEY: Yes.

16 MS. GOETHEL: Perfect.

17 MR. ZALES: Terry.

18 MR. O'HALLORAN: On number three, nominated
19 by the agency responsible. How about governing body
20 rather than agency responsible?

21 CHAIRMAN HIXON: Yes. Whatever works.

22 MR. O'HALLORAN: Because I'm just saying,
23 you know, I mean it's not --

24 MR. KELSEY: And we have some more tinkering
25 with language in the Framework about that, as far, because

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1 in some cases there's two agencies. So it's agency or
2 agencies with management responsibility for the site.

3 MR. ZALES: Do you want to put governing body?

4 CHAIRMAN HIXON: Okay. Whatever, whatever
5 wording works the best, let's just do it right now. Let's
6 just get it done because this is what we're, this is
7 what we want to forward up to the Secretary.

8 MR. ZALES: Do you want us to make it real
9 clear, say governing body --

10 CHAIRMAN HIXON: I want to be extremely clear.

11 MR. ZALES: -- or bodies?

12 CHAIRMAN HIXON: Is that, will that work for
13 the Feds? Governing body or bodies.

14 MR. ZALES: Maybe and/or bodies. Whatever.

15 CHAIRMAN HIXON: And or bodies.

16 MR. ZALES: No. And/or.

17 CHAIRMAN HIXON: You are starting to sound
18 like Iraq. Bodies. Authority. How about the
19 authority?

20 MS. GOETHEL: Are they dead or alive?

21 MR. ZALES: Is that better?

22 DR. CHATWIN: Organization, instead of
23 governing body or bodies.

24 CHAIRMAN HIXON: Okay. Let's not get -- or
25 what?

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1 DR. CHATWIN: Organization.

2 CHAIRMAN HIXON: I don't think that's
3 appropriate here when talking about governance. Let's
4 not go to in to the word smithing. Let's just do what's
5 going to work for everybody.

6 PARTICIPANT: By the relevant authorities.

7 MS. GOETHEL: No. No.

8 MR. URAVITCH: Many people use authorities
9 to mean-

10 MS. GOETHEL: Yes.

11 MR. URAVITCH: Authorities does not go
12 through.

13 CHAIRMAN HIXON: Okay. I have heard, I have
14 heard from the Feds that governing body or bodies works
15 for them. Is that correct?

16 MR. URAVITCH: Yes. That's correct.

17 MR. ZALES: Okay. Good. Works for
18 everybody else? Great. Go to the top part and let's
19 look at Tony's addition and see if everybody is happy
20 with that one.

21 CHAIRMAN HIXON: So the wording was changed
22 to, "The Federal Advisory Committee recommends that the
23 National System of MPA," and the following set of bullets.
24 It has not changed. So instead of envisioning, we're
25 recommending that. And again, as, as Bob pointed out,

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1 these first few bullets are from our 2005 document.
2 They're just saying or reminding the Feds of the original
3 goals.

4 MR. ZALES: Everybody good with that?

5 (No audible response.)

6 CHAIRMAN HIXON: Okay. We just did this and
7 I didn't hear any heartburn about that. And then finally,
8 "Additional sites could be evaluated on a case-by-case
9 basis to address gaps in the National System relative
10 to the characteristics described above. These could
11 include sites that are part of broader programmatic
12 management plans."

13 MR. ZALES: Everybody good?

14 (No audible response.)

15 CHAIRMAN HIXON: And then finally -- I'm
16 sorry Wally. Oh, welcome Wally. Good to have you here.

17 MR. PEREYA: I'm glad to be here. Never break
18 the law or be accused of breaking the law. Regarding
19 the gaps in the National System, maybe Charlie or Jonathon
20 or somebody could answer this. If you have a National
21 System and you recognize or you say there's a gap, but
22 in fact there is a non-nominated MPA site, do you still
23 have a gap?

24 MR. ZALES: I can -- you missed most of the
25 conversation --

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1 MR. PEREYA: I apologize.

2 MR. ZALES: -- because you were out breaking
3 the law but the --

4 (Laughter.)

5 -- part of that came from this morning. Tony
6 came up with something and, and I kind of jumped on it
7 too because it made sense. There may be, there obviously
8 can be gaps between things. But also there may be an
9 MPA somewhere that somebody creates that doesn't meet
10 hardly anything here. But there may be some advantage
11 to that MPA getting involved with the system. In other
12 words, that agency that wants to nominate it and put
13 it in there could come to the table and what to provide
14 a benefit to the National System rather than to receive
15 one back. So this would give the ability to be flexible
16 enough to say, "Okay well that may make sense. Maybe
17 we can learn from this and you can learn from us." It
18 can be kind of cooperative type thing. So and it may
19 fill in some gap of something that somebody's never thought
20 of, that's now there. So it's just to make it a little
21 bit more flexible to get involved.

22 MR. PEREYA: My thought was along the lines
23 that if you looked at just those MPAs that were nominated
24 and accepted in to the National System and you said,
25 "Wow there's an ecological gap here," for whatever reason.

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1 But in fact there was an MPA there, but the agency involved
2 with it said, "I don't want to be part of a National
3 System." So from a, from a strictly national system
4 perspective and only looking at just those MPAs, there
5 is a gap. But in fact, in an operational sense or a
6 ecological sense, you don't have a gap.

7 CHAIRMAN HIXON: My sense, my sense on this
8 would be, speaking as a marine ecologist that a proper
9 Gap Analysis would be irrespective of whether it's part
10 of the National System or not. Because the organisms
11 involved don't really give, you don't say it, where they
12 are. You know, if it's clear that there's ecological
13 kind of activity then that gap has been filled whether
14 it's part of the National System or not. From my
15 perspective as a marine ecologist. Okay.

16 So the last is, "All sites in the National
17 System will work toward improved management by including
18 the following implemented in a manner to support the
19 sites goals and objectives; Monitoring and assessment,
20 enforcement and compliance, balance stakeholder
21 involvement throughout the process, active outreach and
22 education, on site or dedicated staff."

23 Max.

24 MR. PETERSON: I think that last one should
25 be "adequate staffing." Because this, this indicates

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1 whether the staff is dedicated or not. I mean --

2 CHAIRMAN HIXON: I was about to get to that
3 point.

4 MR. PETERSON: It just said, "adequate
5 staffing."

6 MR. ZALES: Yesterday or the day before I
7 think we had that word adequate in there. And that's
8 a legal issue because, what is adequate? And is adequate
9 150 or how, and who defines what adequate is?

10 MR. PETERSON: Well you could have staff
11 dedicated to the site or something, but this talks about
12 a dedicated staff. The adjective is, says whether the
13 staff is dedicated or not. And whether they are
14 indifferent.

15 CHAIRMAN HIXON: So how about, how about staff,
16 "staff on site or dedicated to the site"?

17 MR. PETERSON: That's fine. We're kind of
18 splitting hairs here, but.

19 CHAIRMAN HIXON: Even dedicated to the site
20 sounds like dedicated to the U.S. flag or something.

21 MR. PETERSON: Yes. You could say, "on site
22 or off site."

23 DR. CRUICKSHANK: We talked about this
24 yesterday, I think, but enforcement and compliance should
25 be reversed. Should it not? Should be compliance first

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1 then enforcement.

2 CHAIRMAN HIXON: Agreed. Any objections?

3 (No audible response.)

4 MR. ZALES: Is everybody happy with that now?

5

6 PARTICIPANT: Yes.

7 MR. ZALES: Everybody happy with the whole
8 document?

9 (No audible response.)

10 I guess we're ready to move the, committee
11 motion to speed things up.

12 CHAIRMAN HIXON: Would you please make a
13 motion.

14 MR. ZALES: I move the committee motion that
15 we just have on the board.

16 CHAIRMAN HIXON: Okay. The motion has been
17 made that the committee accepts the document, as amended,
18 showing on the screen.

19 MR. ZALES: Subcommittee motion.

20 CHAIRMAN HIXON: Subcommittee.

21 MR. PETERSON: Second.

22 CHAIRMAN HIXON: The motion has been seconded.
23 Discussion?

24 (No audible response.)

25 All in favor say aye.

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1 (Chorus of ayes.)

2 All opposed.

3 (No response.)

4 MR. ZALES: Thank you very much.

5 CHAIRMAN HIXON: The motion carries
6 unanimously. Congratulations.

7 (Applause.)

8 Tony.

9 DR. CHATWIN: Thank you, Mr. Chairman. I
10 realize we have other subcommittee business that we need
11 to deal with, but in light of the discussion that we
12 had before, you know, as part of the nomination and the
13 suggestion I made of publication of a list and how I
14 think that's quite important. I think, well I will offer
15 a motion to that regard. Because what I -- the feedback
16 I heard was that the recommendation from the FAC to that
17 regard would be really helpful. And so I think we should
18 make a recommendation. And as we haven't gone through
19 a deliberative process to reach the language, I think
20 the way to do it is to offer a motion and then discuss
21 that. And I kind of think that's, my personal opinion,
22 is that's more important right now than the subcommittee
23 --

24 CHAIRMAN HIXON: Okay.

25 DR. CHATWIN: -- business.

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1 CHAIRMAN HIXON: So this would be, what I
2 would like you to do is take a minute to write that in
3 explicit wording, which I will, which we will then, you
4 can then add -- which you can then offer as a motion
5 and we will vote on it.

6 DR. CHATWIN: Okay.

7 CHAIRMAN HIXON: Have you already done that?

8 DR. CHATWIN: Yes.

9 CHAIRMAN HIXON: Oh.

10 DR. CHATWIN: Would you like me to type it
11 up?

12 CHAIRMAN HIXON: Yes. It would be good to
13 have it on the board.

14 DR. CHATWIN: Okay.

15 CHAIRMAN HIXON: So as Tony is doing that
16 --

17 MR. ZALES: Do you want to take a break for
18 about five minutes?

19 CHAIRMAN HIXON: -- as Tony is doing that,
20 we can take a ten minute break.

21 PARTICIPANT: Lunch is going to be here in
22 a few minutes.

23 CHAIRMAN HIXON: Yes. Oh, is lunch coming
24 when?

25 PARTICIPANT: Well, probably in like ten or

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1 fifteen minutes. So, do you want to keep going and see

2 --

3 CHAIRMAN HIXON: No, no. Let's take a break.

4 As soon as lunch arrives, sit down. We will be working
5 through lunch. We are very close to not having a quorum.

6 No one leave without talking to me please. Thank you.

7 (Whereupon, the foregoing matter went off
8 the record at 11:35 a.m. and went back on the record
9 at 12:06 p.m.)

10 CHAIRMAN HIXON: I am aware of time. At 2
11 o'clock we may lose our quorum. Wally arrived to add
12 to that quorum, but he has to leave. And he's going to
13 try to get back by 2. But the specter of losing our quorum
14 at 2 is still raised, but there's an issue. We may be
15 able to get around that. We'll work on that at quarter
16 till or so. But to try to move forward.

17 Tony was just beginning to raise a motion.

18 We've discussed that. And he is willing to postpone
19 raising that motion until 1:45 or unless we get done
20 earlier than that.

21 The first priority is to continue our work
22 with Ad Hoc Subcommittee C1 and C3 to see if we can reach
23 resolution regarding the products of those two
24 subcommittees. So I ask Tony, as Chair of Subcommittee
25 C1, Priority Objectives for Natural Heritage to make

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1 a presentation and explain what's in this handout as
2 well as up on the screen. Tony.

3 DR. CHATWIN: Thank you, Mark. What handout
4 are you referring to?

5 CHAIRMAN HIXON: There's a handout, there's
6 a handout of what's up on the screen.

7 DR. CHATWIN: Oh, okay. Which reflects
8 what's on the screen. Right?

9 PARTICIPANT: Yes.

10 DR. CHATWIN: Okay. So we were asked to go
11 back and do or attempt to do two things. One was to clarify
12 the example National System Objectives for Natural
13 Heritage. And that's what you see on your screen. It's
14 the second column.

15 And the other thing was to then also look
16 at the rank and see if we, if we wanted to stick with
17 that ranking or wanted to change it.

18 So we proceeded to go objective by objective
19 and attempted to clarify what our collective understanding
20 of those objectives were. And so now we have, critical
21 habitat of threatened and endangered species. A question
22 had been raised whether we meant critical habitat as
23 defined in, by statute. And we do. And so we tried to
24 clarify that by being even more specific. And if it,
25 if it -- I hope, we hope that, as it is now, it's --

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1 there's no doubt.

2 We -- the next one is reproduction areas
3 and nursery grounds. The change there -- I won't be able
4 remember all the specific changes. But in this case we
5 had spawning areas instead. And we recognized that for
6 natural heritage we're talking about more than fish and
7 invertebrates. So we turned it in to reproduction areas
8 and nursery grounds.

9 Biogenic habitats stayed the same. Key areas
10 for migratory species stayed the same. Areas of -- we
11 had, row E was termed bio-diversity hotspot. And we have
12 been, attempted to be more specific by saying, areas
13 of high species and/or habitat diversity. F, unique or
14 rare habitats and associated communities remained
15 unchanged. G, link areas important to life histories
16 remained unchanged. H also remained unchanged.

17 And we then added, to be consistent with
18 Subcommittee C3 and C2, areas that provide compatible
19 opportunities for education and research.

20 So that we, we hope, we're confident that
21 these changes provided more clarity of what we mean by
22 these objectives. We revisited the ranking and as you
23 can see it, decided we were happy with it. We all can
24 live with it. There were no -- we talked about some of
25 the issues that may have had more disagreement about

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1 or more differences of opinion about. But at the end
2 of the day, we all have -- this reflects the consensus
3 of the subcommittee.

4 And the -- what you see there is a gap between,
5 for the last row I, areas that provide compatible
6 opportunities for education and research. That was
7 included after we had gone through the ranking exercise.

8 And so we added it at the bottom. And we were all
9 comfortable putting it in to Phase 3 priority.

10 And that is my report. So I'll be open to
11 questions if any are available.

12 CHAIRMAN HIXON: Thank you, Tony. Mike.

13 DR. CRUICKSHANK: Real quickly. Were there
14 no duplicate rankings like three ones?

15 DR. CHATWIN: No. We, we said one through
16 eight in the case. And you could only use one number
17 once.

18 CHAIRMAN HIXON: Dan.

19 DR. SUMAN: Migratory animals includes--

20 DR. CHATWIN: Yes. Includes reptiles,
21 mammals, fish --

22 PARTICIPANT: Invertebrates, lobsters --
23 with the respect of the species.

24 DR. CHATWIN: Reptiles.

25 CHAIRMAN HIXON: Okay. Dan.

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1 DR. BROMLEY: In H, do you mean ecologically
2 important geologic features? Is that what that's means?

3 DR. CHATWIN: Yes.

4 DR. BROMLEY: Ecologically important.

5 DR. CHATWIN: Yes.

6 DR. BROMLEY: Okay.

7 DR. CHATWIN: We need to correct that. And,
8 you know, in our worksheet we have examples of types
9 of things we were thinking about. So that's something
10 we can make available to the committee.

11 CHAIRMAN HIXON: Okay. Well I guess the
12 question would be do you want to add them to this or
13 leave it as it is?

14 DR. CHATWIN: I'll put it to the will of the
15 subcommittee. But I personally don't think it's that
16 necessary.

17 MR. PETERSON: Would it be more clear to
18 whoever's reading it, besides us?

19 CHAIRMAN HIXON: Do the Feds understand this
20 list or do the Feds need examples?

21 The Feds know what this stuff is. Okay.
22 My, the indication -- the nods of the federal ex-officio
23 members with food in their mouths indicates that they
24 understand what this list means. Other, other, questions
25 discussions? Mike.

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1 DR. CRUICKSHANK: Could you describe the
2 phases? I think I missed it. Definition of phases.

3 CHAIRMAN HIXON: Tony, would you define
4 phases for Mike please.

5 DR. CHATWIN: Well phase, there isn't -- as
6 I'm not familiar with a precise definition for when those
7 different phases would kick in. But it's, this is to
8 help prioritize decision making about who the, what the
9 first order of priority for entrance in the system, initial
10 entrance in the system would be. So these objectives
11 would -- they're all important. They're all key, actually.

12 But if, if we had to just shed some light on which ones
13 we think should be considered first, recognizing that
14 not all potential sites that meet the criteria can come
15 in to the system at once.

16 CHAIRMAN HIXON: How about a sentence for
17 both these tables that very briefly describes the rationale
18 for the ranking and the rationale for the phasing. I
19 think that could be done fairly quickly or couldn't it?

20 DR. CHATWIN: Well rationale for the ranking,
21 that is something that I -- rationale for the phases
22 I can, it's very simple. But rationale for the ranking,
23 it's based on, you mean, why did we rank?

24 CHAIRMAN HIXON: Some kind of explanation.
25 I mean when, when someone who wasn't at this meeting

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1 reads this table out of context there may be, we want,
2 we want the document to be able to stand on it's own.

3 So that anyone can read it and understand it. So right
4 now this is a table without explanation.

5 DR. CHATWIN: Absolutely. Is there language
6 in the Charge to the FAC and the Charge to the subcommittees
7 that we could use? Because really we didn't come up with
8 this rationale.

9 MR. PETERSON: The, the ranking is simply
10 the judgement of the, of the committee in importance
11 of each one of these items. It's a proxy for high, medium,
12 and low in some respects, but it's more specific than
13 that. So it's just a collected, it's just the judgement
14 of the committee.

15 MR. O'HALLORAN: And maybe more importantly,
16 if you wanted is the process, in which the process we
17 went through to get to achieve the rank.

18 CHAIRMAN HIXON: Okay. Ellen and then Dan.

19 MS. GOETHEL: I just -- Tony reminded us when
20 we were discussing the ranking that we were looking at
21 the first tier of groups of potential MPAs when we were
22 looking at it. So this would be the list of priorities
23 for already existing MMAs that would fit in to the National
24 System. Is that not correct, Tony?

25 CHAIRMAN HIXON: My sense is it may be a bit

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1 broader than that because it also will be involved with
2 the subsequent Gap Analysis as well, is my understanding.

3 Is that correct?

4 MS. GOETHEL: Well I think that would be an
5 appropriate, to the --

6 CHAIRMAN HIXON: Okay. Thank you. So one
7 solution -- before I get to you Dan. One possible solution
8 would be to use the wording from our Charge as basically
9 a header for these tables and just sort of plug it in.
10 Unless anyone disagrees.

11 I have Dan and then Steve.

12 DR. BROMLEY: Well I, I appreciate the ranking
13 and the phasing. And I apologize I wasn't here part of
14 yesterday when maybe you did some of this. But -- is,
15 I mean, there is some direct mapping from rank into phase.

16 And I wonder is it, do we need -- is the ranking kind
17 of a redundant sort of thing. I mean we have urgent stuff
18 and then we have some other stuff. And so the rank numbers
19 make it look more precise than I think it needs to be.

20 And couldn't there be some lumping so we talk about
21 urgency or something?

22 CHAIRMAN HIXON: So Dan would your suggestion
23 be that we just drop the ranks and use the phases?

24 DR. BROMLEY: I think and then give words
25 to phases so that phases like urgent, top priority,

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1 secondary, something.

2 CHAIRMAN HIXON: Yes. This is actually be
3 a little more consistent with the --

4 DR. BROMLEY: Yes.

5 CHAIRMAN HIXON: -- straw man table that we
6 were given at the beginning which had to do with high,
7 medium, and low priorities. So I have Max and then Tony.

8 MR. PETERSON: I think we, we would -- our
9 committee, I believe, would be willing willing to drop
10 that rank thing. That was only a way for the committee
11 to, to process stuff without -- we found that rating
12 them high, medium and low didn't get us anywhere. So
13 we put them in to the ranking in order to create some
14 separation.

15 CHAIRMAN HIXON: Yes.

16 MR. PETERSON: And so I think that was an
17 internal process that doesn't need to be in the document
18 necessarily.

19 CHAIRMAN HIXON: Okay. Tony I'm going to
20 let you go. Steve, are you going -- Steve's in the queue.
21 I skipped him inadvertently. Okay.

22 Go ahead Tony and then Steve.

23 DR. CHATWIN: The only potential downside
24 I see of dropping the rank is questions could be raised,
25 how do we get to separating them in to phases?

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1 CHAIRMAN HIXON: Okay. So that could be
2 described in the, in the introductory paragraph, perhaps.

3 DR. CHATWIN: Right. And I'm just thinking
4 of people who are not in this room.

5 CHAIRMAN HIXON: Sure.

6 DR. CHATWIN: And so, how do we come to the
7 decisions that the first three are Phase 1? And so we
8 actually went through deliberative process to get there.

9 CHAIRMAN HIXON: Okay.

10 DR. CHATWIN: And I think that that is
11 something that helps the transparency of these decisions.

12 MR. PETERSON: We could put a footnote at
13 the bottom of the table saying, "To determine the phases,
14 each member of the committee ranked the importance of
15 these. And that was used to identify the phases."

16 CHAIRMAN HIXON: Okay. So there's a
17 suggestion that the ranks --

18 PARTICIPANT: Max, you're not getting picked
19 up in the back there.

20 MR. PETERSON: Oh, I'm sorry. I'm just
21 saying that we could put a footnote up to this table.
22 It says, "That in order to develop the phases of importance,
23 the committee went through a process of each person
24 individually ranking the importance of these. And that
25 was used to develop a consensus then for how to specify

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1 the phases."

2 CHAIRMAN HIXON: Okay.

3 MR. PETERSON: And that does it without --

4 CHAIRMAN HIXON: That's one solution. I
5 have Steve. Thanks for your patience, Steve. Oh,
6 Steve's done.

7 I have Mike and then Wally.

8 DR. CRUICKSHANK: Thank you. I think you've
9 got two things. You've got the important and you've got
10 the timing. Is there any distinction there or phase,
11 is that time phase or an importance phase? I think it
12 may be terribly important, but it wasn't too central
13 to be done second or third?

14 CHAIRMAN HIXON: Tony, the question, the
15 question to the subcommittee is whether rank and phase
16 had to do with importance, or timing, or both, or? As
17 you deliberated what was the, well I think the perspective
18 on everyone's mind?

19 DR. CHATWIN: We didn't separate -- I don't
20 think, excuse me, sorry. I don't think we were able to
21 separate those two in our minds very clearly. We know
22 that we would address a timing issue when we discussed
23 the phase column. But in thinking of ranking, we at least
24 I can speak for myself, I was, I think all of these are
25 equally important. But we had to provide priorities to

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1 meet our Charge. And so, so those are priorities.

2 CHAIRMAN HIXON: Okay. So what I'm hearing

3 --

4 DR. CHATWIN: One is priorities and one is
5 timing.

6 CHAIRMAN HIXON: Okay. So I'm hearing that
7 phase has to do with timing.

8 DR. CHATWIN: Yes.

9 CHAIRMAN HIXON: Rank, it had various
10 perspectives. Some, some saw that the ranks had nothing
11 to do with importance because they were all important.
12 Others were ranking them in terms of importance.

13 DR. CHATWIN: I would imagine so.

14 CHAIRMAN HIXON: Yes.

15 DR. CHATWIN: I would encourage my fellow
16 subcommittee members to --

17 CHAIRMAN HIXON: Does that help to you address
18 your question, Mike?

19 DR. CRUICKSHANK: It helped to understand.
20 My confusion, IT still remains.

21 CHAIRMAN HIXON: Your confusion still
22 remains. Okay.

23 DR. CRUICKSHANK: But it's -- I understand
24 it now.

25 CHAIRMAN HIXON: Okay. Wally.

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1 MR. PEREYA: Yes. I think that Dan's
2 comments are right on. That the ranking, because I was
3 on the subcommittee, the ranking certainly is an, I think
4 an over-expression of the precision that was involved
5 in this process. It was mainly a way of getting out of
6 conundrum we had with, how do we among us, within the
7 time we had allotted to us, come up with some kind of
8 a way of sort of dividing them up. I went back and
9 re-analyzed it after Charlie had told us that he looked
10 at it a little bit differently. We got his numbers.
11 And I threw out the outliers through, put Charlie in,
12 so I over- weighted Charlie because he wasn't part of
13 the outlier analysis. Figuring that he's got, he's got
14 the final say anyway, so probably should give him a little
15 more weight. So I re-analyzed them and came out with
16 numbers that didn't differ to much from there.

17 CHAIRMAN HIXON: Oh, okay.

18 MR. PEREYA: So my feeling is, going with
19 some sort of a grouping approach probably is more reflective
20 of the reality. Because I recall a comment that Dan,
21 that Denis made when he was there the first day that,
22 you know, if you put together, put together this task
23 with a different subcommittee group and you'd come out
24 with different rankings, so.

25 CHAIRMAN HIXON: Okay. So what I'm hearing,

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1 if I can adequately reflect and merge and synthesize
2 everything that's been said is that, phasing probably
3 reflects reality a bit more. And one solution would be
4 to, I believe, not have the ranking numbers in the table,
5 but have a footnote that describes the ranking procedure
6 and how these were used to setup the phasing groupings.

7 Is that?

8 MR. PEREYA: Sounds good to me.

9 CHAIRMAN HIXON: Mike.

10 DR. CRUICKSHANK: I thought that, it might
11 indicate, we use high, low, and very low or whatever
12 it is instead of instead of numbers. Numbers make you
13 think it's pretty exacting. But it's just the, these
14 are the, it's the same --

15 CHAIRMAN HIXON: Well phasing had to do with
16 timing, primarily.

17 DR. CRUICKSHANK: Yes.

18 CHAIRMAN HIXON: So high, medium, and low
19 timing doesn't quite describe it.

20 DR. CRUICKSHANK: Yes. Okay.

21 CHAIRMAN HIXON: Okay. Tony.

22 DR. CHATWIN: Near term, medium term, and
23 long term.

24 DR. CRUICKSHANK: Yes.

25 DR. CHATWIN: That's timing.

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1 CHAIRMAN HIXON: Okay. So you're suggesting
2 changing one to near term, short term, medium term, and
3 long term.

4 DR. CHATWIN: No. I think footnote about
5 phases. What that represents.

6 CHAIRMAN HIXON: Have a footnote about phases,
7 as well. I think we're approaching the gist of this.
8 Wally.

9 MR. PEREYA: Yes. The thing is though that
10 the ranking and the phasing were correlated.

11 CHAIRMAN HIXON: Yes.

12 MR. PEREYA: So, you know, I mean, just merge
13 the two together. Because if you put the numbers in there,
14 even though you have it footnoted, that's what people
15 are going to see. And they say, "Oh, A was" obviously
16 the most important.

17 CHAIRMAN HIXON: Right. Well that's what
18 I was thinking. That's what I was thinking. Remove the
19 column called rank, but have a footnote under phase
20 describing that ranking took place to arrive at phases.

21 And then also define the phases, as Phase 1 being short
22 term, Phase 2 being medium term, Phase 3 being long term.

23 So the whole intention here is just to clarify the process
24 for anyone who reads this that wasn't here enduring all
25 this.

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1 Terry.

2 MR. O'HALLORAN: Under phase, you know, one
3 of the other important parts of that is, is the practical
4 side. Is, you know, Phase 1 part of what went in to Phase
5 1 is, what can be done with the amount of resources that's
6 available to the MPA Center given our level of funding?

7 And so, so I think that's an important footnote that
8 people understand that we, we had, we put the real world
9 in to this. And felt that in, and had some agreement
10 with the MPA Center that Phase 1 is in fact doable with
11 the amount of resources that they had.

12 CHAIRMAN HIXON: Okay. So what I'm hearing
13 now then would be, the amended product for Subcommittee
14 C1 would be this table, without the, without the ranks.

15 A footnote for the phase that describes the ranking
16 process at arriving at the phases. A definition of the
17 phases involving both the timing, as well as the
18 practicality of these different items. With an
19 introductory paragraph that's from the Charge Sheet
20 essentially that could be easily crafted without specific
21 wording at this time. Is that correct? Are you willing
22 to make a motion, are -- is there any more discussion?
23 Are you willing to make a motion basically repeating
24 what I just said or just whatever?

25 DR. CHATWIN: With all the caveats of -- can

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1 I just make a motion that the FAC, on behalf of the
2 subcommittee, that the FAC recommends, I wanted to read
3 the Charge. But, "This prioritized list of specific
4 National System Conversation Objectives for Natural
5 Heritage, under which existing and new sites in the National
6 System will be identified over time." That's directly
7 from our Charge.

8 CHAIRMAN HIXON: Sure. Sure.

9 DR. CHATWIN: That's the motion. I win.

10 CHAIRMAN HIXON: There's the sign. Is the
11 motion, is the motion clear to everyone?

12 PARTICIPANT: It's clear to federal.

13 CHAIRMAN HIXON: Okay. The motion's been
14 made.

15 MR. O'HALLORAN: Second.

16 CHAIRMAN HIXON: The motion has been seconded.
17 Further discussions? All in favor please say aye.

18 (Chorus of ayes.)

19 All opposed.

20 (No response.)

21 Motion carries unanimously. Thank you
22 Committee C1.

23 It's only 12:30. Okay. I'm going to just
24 breathe a minute. Take a drink. And then we'll, then
25 we'll continue. Okay. Okay.

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1 We'd now like to hear the report from
2 Subcommittee C3, Priority Objectives for Sustainable
3 Production. Max Peterson is the Chair. Max would you
4 --

5 MR. PETERSON: Thank you. We're very, we're
6 very happy to have ten of the fourteen members of the
7 FAC Committee present at our final deliberations. And
8 I will start out by saying, we propose to handle the
9 ranking versus the phasing with the same footnote as
10 we used for Table 1, so that we don't have to revisit
11 that, if that's okay.

12 CHAIRMAN HIXON: Good.

13 MR. PETERSON: Then we listed, they're six
14 primary objectives. We ended up by broadening, on Item
15 1, we broadened the idea of just spawning areas to
16 reproduction areas to use the same terminology as used
17 in the previous one, Natural Heritage Areas.

18 And then to pick up quite a bit of concern
19 about areas important for the conservation of natural
20 age and sex structure, important harvestable species
21 to be sure we had appropriate structuring including the
22 fat old fish and so on.

23 Then there was enough concern for the
24 sustainable production areas that foraging is different
25 than just spawning and early juvenile phases and so on.

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1 Foraging might include some areas substantially outside
2 of the MPA. So we might want to enlarge the size of the
3 MPA. For example, particularly to pick up foraging
4 grounds, if that were feasible.

5 Then we had a long discussion on by-catch.

6 And we decided that we ought to say we're specifically
7 intending to look at MPAs as an opportunity to reduce
8 by-catch. But in areas that have substantial impact on
9 sustainable fisheries, we're not trying to address
10 by-catch everywhere, all the time. It has to have that.

11

12 And then we picked up areas for compatible
13 opportunities for education and research. The same as
14 C1.

15 And then we had a long discussion on areas
16 that conserve or restore high priority fishing grounds.

17 Do we mean recreation? Do we mean commercial? We decided
18 to leave that as it is. We leave it up to the people
19 that put the area in to decide whether they include or
20 exclude areas that have both commercial and, and
21 recreational. We did not want to restrict it to one or
22 the other. So we left that more vague, Mr. Chairman,
23 after considerable discussion.

24 So that's the report of C3. Does any member
25 of the committee have -- that look okay to all of you

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1 who were on the committee?

2 (No audible response.)

3 Okay. Then I would, in order to start the
4 discussion, I would move the option of this, as on behalf
5 of the subcommittee. And then you get a second. And
6 then you can have lots of discussion.

7 DR. SUMAN: Second.

8 CHAIRMAN HIXON: Okay. I've heard a second
9 as well as the motion. Discussion? Dan and then -- Ellen
10 are you raising your hand? And then Ellen and then Mike.

11 DR. SUMAN: What is the meaning of D?

12 MR. PETERSON: What's, what's not clear to
13 you? Can you tell me what's not clear to you?

14 DR. SUMAN: By-catch. By-catch.

15 MR. PETERSON: By-catch is unintended catch,
16 unintended catch.

17 DR. SUMAN: How will -- explain how these
18 areas will reduce by-catch? I mean, why isn't is "as
19 catch?"

20 MR. PETERSON: Well a --

21 DR. SUMAN: Why by-catch?

22 MR. PETERSON: -- well a -- remember that
23 the purpose of these is to have a sustainable fisheries.
24 Okay. So the regulation of the fishing level is a part
25 of the whole thing. But we were concerned about by-catch

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1 that had a substantial impact on sustainable fisheries.
2 That might even be sustainable fishes outside of the
3 area. But you're trying to reduce by-catch because of
4 its impact both inside and outside of the area. Because
5 some of that by-catch might be a very important species
6 to other areas. So we left it fairly broad. And maybe,
7 maybe you want to say more about it.

8 CHAIRMAN HIXON: Okay. Hold on. I've got
9 Ellen, Mike, Bob -- Tony did you have your hand up just
10 then? Yes. I saw Tony just before.

11 PARTICIPANT: Wally was --

12 CHAIRMAN HIXON: Ellen, Mike, Bob, Tony,
13 Wally. Okay. Ellen you're up.

14 MS. GOETHEL: I personally had a problem with
15 reduced by-catch in areas that have substantial impact.
16 Most of the areas that I can think of, and not just
17 in New England but around the country, are -- would be
18 included in, the reasons for the closures, would be included
19 in many of the other criteria. By-catch closures in many
20 areas are a moving target. So if you close an area or
21 make an MPA that is for a closed, for a by-catch reason,
22 for a stock that this year is found in large quantities
23 in one area, next year, even six months from now or ten
24 years from now, may move completely out of that area
25 so you end up with a useless piece of protected area.

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1 And it could change the fishing technics and pressures
2 on other areas. So I, I really don't like that one at
3 all.

4 CHAIRMAN HIXON: Mike.

5 DR. CRUICKSHANK: I know nothing about
6 fishing, but that even was bothering me. Because I thought
7 a by-catch is very often things like turtles and other
8 species that are protected. And that was the objective,
9 voting by-catch, not to reduce the other species that
10 were there.

11 CHAIRMAN HIXON: But the general definition
12 of by-catch is the capture of non-targeted species.

13 DR. CRUICKSHANK: Yes.

14 CHAIRMAN HIXON: So that includes endangered
15 and threatened species, as well as, other species that
16 are not endangered and threatened.

17 DR. CRUICKSHANK: Yes. But that but they
18 still have a substantial impact on sustainable fisheries
19 because they may have the impact --

20 CHAIRMAN HIXON: Well, they tend to have,
21 they tend to have substantial impact on fisheries
22 management when they are threatened --

23 DR. CRUICKSHANK: Yes.

24 CHAIRMAN HIXON: -- and endangered because
25 they're, by law, they have to, by-catch has to be reduced,

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1 by law. Other species of by-catch, very few people seem
2 to care about, even though there may be substantial impact
3 on those species. And there are no regulations regarding
4 that. It's a very broad term. Okay.

5 I have Bob next.

6 MR. ZALES: And I wasn't on the committee,
7 but I would imagine by reading this because clearly the
8 law of the land says that, one of the national standards
9 is that, we have to do what we can do to reduce by-catch
10 mortality across the board. And I can see -- and I'm
11 kind of opposite of Ellen, I can see because currently
12 on the Gulf of Mexico there's a proposal being discussed
13 on the shrimp fishery to take the ten to thirty fathom
14 contour where there's a high level of mixing with juvenile
15 red snapper ages zero and one with shrimp, to -- and
16 clearly the number one problem with the red snapper
17 fisheries is by-catch in the shrimp fishery. So by doing
18 this area and, and not allowing shrimping in this area
19 could potentially, according to the information that's
20 out there, dramatically reduce the by-catch in the shrimp
21 fleet which would enhance the red snapper fishery. So
22 I would, I would support that. Because I see that in
23 some cases like this and there are probably others where
24 an area, is not going to eliminate all by-catch, but
25 it could substantially help in some cases.

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1 CHAIRMAN HIXON: Tony and then Wally.

2 DR. CHATWIN: Thank you. I just -- actually
3 I'll defer, I'll go after Wally, if that's okay.

4 CHAIRMAN HIXON: Okay. Wally and then Tony.

5 MR. PEREYA: Tony is going to rebut my remarks.

6 I second what Ellen said. And it's been my concern for
7 quite awhile about use of MPAs to control by-catch. The
8 intention is fine, but the critters don't necessarily
9 understand where the lines are and so forth and things
10 change. But the -- what I wanted to speak to is, how
11 this can contribute to sustainable production. We have
12 a lot of examples where it takes away from sustainable
13 production, but in the North Pacific we've got an ongoing
14 problem with stellar sea lions. Without putting in the
15 MPAs for protection so that stellar sea lions, which
16 is, can be a by-catch, small by-catch, we would be in
17 jeopardy under the Endangered Species Act and the entire
18 fishery would be, wouldn't get off the ground. So in
19 that case, having those MPAs in place allows the fishery
20 to go forward. So in that way supports the sustainable
21 production.

22 Another example is, is halibut. Halibut is
23 an incidental catch in the pollock fishery. And there
24 are areas, which if the by-catch gets up to a certain
25 level, then the fisheries are restricted from these areas.

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1 If you didn't have those areas, the fishery then probably
2 exceed the maximum allowable by-catch of halibut and
3 the fishery would shut down. So by having those areas
4 there, you in fact, are insuring that the production
5 will in fact be taken. So just two examples of where
6 they can be used for that purpose.

7 CHAIRMAN HIXON: Further discussion. Mike.

8
9 DR. CRUICKSHANK: Spelling again. It says,
10 "reduce by-catch in the areas," is confusing to me. In
11 the areas that have substantial impact. The areas don't
12 have substantial impact. But reduce the by-catch in areas
13 where there is a substantial impact.

14 CHAIRMAN HIXON: You're just saying the
15 wording is --

16 DR. CRUICKSHANK: Yes.

17 CHAIRMAN HIXON: -- the appropriate
18 grammatical wording would be, "reduced by-catch in areas
19 where by-catch has a substantial," okay, "in areas where
20 by-catch has a substantial impact." Okay. Okay. The
21 grammar has been corrected. Other discussion.

22 Dan.

23 DR. SUMAN: That was my original confusion,
24 I think. Because I didn't know, I just don't understand
25 spatially what, what this means. So using an MPA to reduce

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1 by-catch or that has an impact on sustainable fisheries
2 elsewhere, or in that area, or it doesn't matter?

3 MR. PETERSON: It could be either one.

4 CHAIRMAN HIXON: Tony.

5 DR. CHATWIN: Yes. This is the comment I
6 was going to make earlier. I think we, we, in my mind,
7 what helps me stay clear about this is that we're not
8 discussing whether or not we should use an area to, as
9 a tool to prevent by-catch. We're talking about whether,
10 in the National System, and to contribute towards the
11 Sustainable Production Objectives, we should include
12 consideration of areas that have been created for the
13 purpose of reducing by-catch. Do we see that as important?

14 And if so, and if they meet all those other criteria
15 that we have already established, then they should be
16 considered, in this case, in Phase 2.

17 That's what it is. We're not discussing
18 whether this is the appropriate tool to achieve that
19 goal. We're discussing whether, if that has been chosen
20 as an appropriate tool to deal with that problem or that
21 issue, do we then want to have them considered for inclusion
22 in the National System. That, I think that, we kind of
23 lose track of that. We're not here to second guess
24 decisions that have been made by the relevant authority.

25 It's --

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1 CHAIRMAN HIXON: Okay. So an example of
2 which I'm aware is off the West Coast, there are areas
3 that are called Rockfish Conservation Areas, with the
4 original intent to minimize by-catch of species that
5 were over fished. They may or may not fit the definition,
6 based on their level of permanence and variance and whatnot,
7 but these are the types of entities that exist.

8 MR. PETERSON: Right. I guess to address
9 Ellen's point. We don't see this as a silver bullet
10 everywhere. There are places where, because of the nature
11 of the fisheries and because they move from one year
12 to the next off of New England, that would be an area
13 that wouldn't make sense to set up an area with lasting
14 protection. So we're just saying, among the areas in
15 our quiver, there are places that I know of, particularly
16 on the West Coast and Alaska, where this, we think, would
17 be an important tool. Because by-catch is a very
18 detrimental thing. And there is no national policy, Bob,
19 that says, we should reduce by-catch, that I know of.

20

21 PARTICIPANT: There is.

22 MR. PETERSON: Well, but it, it doesn't --

23 PARTICIPANT: The National Standard --

24 MR. PETERSON: -- but it's not a, it's not
25 something that is, is operating to substantially reduce

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1 by-catch everywhere. Because there's still a hell of
2 a lot of, well there's still a lot of by-catch going
3 on.

4 MR. RADONSKI: It has got to be part of every
5 Fishery Management Plan.

6 MR. PETERSON: I agree with that. But
7 there's still a substantial amount of by-catch going
8 on.

9 PARTICIPANT: Yes.

10 CHAIRMAN HIXON: Further discussion.

11 (No audible response.)

12 Can we vote?

13 MR. ZALES: I just want to be sure because
14 undoubtably there's some concern here. I just want to
15 be sure that there's not enough heartburn with this to
16 try to, not to do this unanimously with the by-catch
17 thing in there. Because like Tony explained, it's not
18 a recommendation that you do this. It's that if somebody
19 does decide to do this, this is what you need to go through
20 to establish the perimeters of it and whatnot and where
21 it goes. So, you know, I mean, if there's a little bit
22 of concern, that's fine. But if there's substantial
23 concern, where somebody is going to say, "Well I'm not
24 going to move this whole thing forward with it in there,"
25 I think we need to know that.

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1 CHAIRMAN HIXON: Well the voting is by
2 majority. Although we go out of our way in this body
3 to reach consensus.

4 MR. ZALES: Yes.

5 CHAIRMAN HIXON: So that's why we haven't
6 voted yet. So, Ellen, is there a modification that would
7 that would retain the original intent, as put forth by
8 the committee, but allow you to be onboard with consensus?
9 A change in wording.

10 MR. ZALES: Can I, can I, I mean clearly this
11 is not going to say that everybody everywhere has to
12 do this. So you know what I mean? If this is an issue
13 that you have with the by-catch, with the by-catch MPA
14 in your area, unless your area decides they want to do
15 that, it's no big issue for that area. But like I say,
16 in an area where I'm at in the Gulf of Mexico, I see
17 a real advantage to having -- I don't know if they want
18 to call it an MPA or what they want to do. But I see
19 a real advantage to having that ten to thirty fathom
20 closure in the shrimp fishery so that I can continue
21 to fish. Because without it, I'm not going to fish.
22 And so, you know, it's that kind of thing in there. So,
23 you know if it was mandated across the board, I would
24 say, "Yes, let's figure out some other way." But if it's
25 a thing that can or can't happen depending on what the

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1 local area wants to do, I --

2 PARTICIPANT: How about putting it into Phase
3 3? Instead of Phase 2?

4 PARTICIPANT: No.

5 CHAIRMAN HIXON: That's not our decision.
6 Yes. So it's been suggested to the subcommittee that
7 Item D, reduce by-catch in areas where by-catch has a
8 substantial impact on sustainable fisheries, be moved
9 from Phase 2 to Phase 3. That's been suggested to the
10 subcommittee. Discussion. Reply. Steve Murray. This
11 is, the intention being to reach consensus.

12 DR. MURRAY: I support that, moving it to
13 Phase 3.

14 MR. PETERSON: What about the -- let's go
15 back to the subcommittee and see what their wishes are,
16 since it's the subcommittee recommendation. Is that all,
17 was that okay to move to Phase 3, those of you that are
18 on the subcommittee?

19 MR. PEREYA: Fine with me.

20 PARTICIPANT: Fine with me.

21 MR. PETERSON: Okay with you?

22 DR. CHATWIN: You know, I don't see it as
23 a big deal. What I don't like is that, we're making an
24 exception to a process that we followed to make a decision.
25 And then if we open, isn't this --

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1 DR. BROMLEY: We are trying to move on.

2 CHAIRMAN HIXON: Finish, finish your thought
3 please.

4 DR. CHATWIN: And that's the thing, I don't
5 like. You know, whether it's Phase 2 or Phase 3, we're
6 talking about years in the future most likely. And so
7 that doesn't make that much difference to me. What makes
8 difference is that, it is an exception to a process that,
9 not a perfect process, but that we followed. And that
10 we can explain the decisions. And now, how we arrived
11 at those decisions. So that's the objection I would have.

12 CHAIRMAN HIXON: Sure. So there's a
13 tradeoff here between, between respecting the process
14 that was used and agreed upon, during the subcommittee
15 meeting, versus making an exception to find consensus
16 within the committee. That's the tradeoff.

17 Wally.

18 MR. PEREYA: Yes. Mark. I respect what Tony
19 is saying. But, in my mind, I actually, even though I'm
20 involved in the fisheries in a reasonable way in the
21 North Pacific, by-catch issues, MPA issues and surrounding
22 by-catch are very serious. I actually rated it higher.
23 I had it rated two when I went through the list and
24 had it Phase 1. That being the case the subcommittee
25 came out the way it did. But I think that we have to,

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1 as a subcommittee, recognize that we really are only
2 a part of the whole. And the intention was that, each
3 subcommittee's deliberations we brought back to the full
4 committee, that make any modifications so that it could
5 be a reflection of the entire committee given the fact
6 that the subcommittee is just a portion of the whole.

7 And you have to have everybody's view points involved.

8 So I think it's appropriate if the group feels it. And
9 I don't feel like our subcommittee deliberations have
10 been somehow tarnished as a result of this.

11 CHAIRMAN HIXON: One solution or potential
12 solution that was suggested this morning was that, if
13 we reach, if we had contention regarding ranking and
14 phasing, that we just have the whole FAC do the ranking
15 rather than just the subcommittee. I'm not saying that
16 we're going to do that. I'm just saying that was suggested
17 this morning.

18 Tony.

19 DR. CHATWIN: No. I would remove my
20 objections so that we don't have to go through the ranking.

21 (Laughter.)

22 PARTICIPANT: Thank you Tony.

23 CHAIRMAN HIXON: Max and then Dan.

24 MR. PETERSON: I'll defer to Dan for a minute.

25 DR. BROMLEY: Again I think we're dealing

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1 in little league here. We're spending too much time.
2 I thought the rank column was going to be removed anyway.
3 So why are we discussing ranking again?

4 CHAIRMAN HIXON: We're talking phasing
5 actually.

6 DR. BROMLEY: Yes. So phasing. I heard
7 discussion about ranking. I urge us to, if Wally and
8 others want to put it in to Phase 3 rather than Phase
9 2, I look up there, I'm not sure I know the difference
10 between Phase 2 and Phase 3 anyway. So what grounds do
11 I have to object to a motion to put it in to Phase 3?
12 What are these things? They're just indicative of
13 something. Let's move on.

14 CHAIRMAN HIXON: They're indicative of the
15 eventual timing and practicality of --

16 DR. BROMLEY: Yes.

17 CHAIRMAN HIXON: -- implementation.

18 DR. BROMLEY: Yet to be determined. But the
19 distinction, I don't know the distinction between a two
20 and a three. So, therefore, my vote on it is quite
21 arbitrarily, actually.

22 MR. PETERSON: Yes. Mr. Chairman, as a
23 subcommittee is not, not in a consensus to remove the,
24 the phase. So since there is a motion on the table, it
25 would require an amendment to that motion to change it.

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1 So we have a motion on the table. And that's where we
2 stand.

3 CHAIRMAN HIXON: Okay.

4 MR. ZALES: Okay. I'll amend the -- make
5 a motion to amend the motion to try to get consensus
6 for this whole thing and be done with it. To change the
7 phase on D from two to three.

8 MR. PEREYA: Second.

9 CHAIRMAN HIXON: Parliamentarian, do we
10 discuss, can we discuss this?

11 MR. ZALES: We need a second.

12 CHAIRMAN HIXON: We just got a second.

13 MR. ZALES: Oh, okay.

14 MR. PETERSON: You discuss it, but I can tell
15 you in advance, that I'm going to object to. So you won't
16 get a consensus on that.

17 MR. ZALES: Okay. Well it doesn't matter.

18 So with the concurrence of my second, I'll remove my
19 motion. We vote it up or down the other way.

20 DR. BROMLEY: Wait a minute.

21 CHAIRMAN HIXON: Dan.

22 DR. BROMLEY: I'm sorry. There's a
23 difference between unanimity on a motion before the whole
24 body and unanimity on an amendment to something. So the
25 very fact that one person says you're not going to get

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1 a unanimous vote on moving it to two to three, why do
2 you want to give in so easily Bob?

3 MR. ZALES: I don't think I'm going to change
4 Max's mind. There may be only one.

5 DR. BROMLEY: Why do you have to change?
6 Yes. We've heard so far there's only one person who doesn't
7 -- with no disrespect.

8 MR. PETERSON: Yes. But we only had one
9 objection to the committees report.

10 MR. ZALES: That's my point. That if, I mean,
11 if we're going to get one with this one, we might as
12 well leave it alone --

13 PARTICIPANT: Never seen it in consensus.

14 MR. ZALES: -- her one effort against the
15 other. So you're going to get one --

16 CHAIRMAN HIXON: All right. All right.
17 Everybody take a deep breath. A deep breath.

18 MS. GOETHEL: I remove my objection. We'll
19 just have the vote and we can all go home.

20 CHAIRMAN HIXON: And Tony, you have the floor.

21 DR. CHATWIN: You shouldn't have gone first.
22 Because I was going to say, you know, what you clearly
23 laid out is that we have two options. One was to revisit
24 the ranking. And faced with that option, well I removed
25 my objection.

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1 CHAIRMAN HIXON: And revisit the phasing I
2 meant.

3 DR. CHATWIN: The phasing.

4 CHAIRMAN HIXON: Yes.

5 DR. CHATWIN: Whatever.

6 CHAIRMAN HIXON: Yes.

7 DR. CHATWIN: Faced with that option I removed,
8 it's on the record I remove my objection. So --

9
10 MR. ZALES: The motion.

11 CHAIRMAN HIXON: I don't even know where we
12 are now.

13 PARTICIPANT: Everybody has removed their
14 objection.

15 MR. ZALES: Yes. All the objections are
16 removed. I think.

17 MR. PEREYA: But I haven't removed, I haven't
18 removed my second, yet.

19 MS. GOETHEL: His second still hasn't been
20 removed.

21 CHAIRMAN HIXON: Okay. Let's buckle down
22 folks. Buckle down. Buckle down. Okay.

23 Bob. Bob made a motion to amend the motion.

24 Bob has retracted it. Does the second retract the second?

25 MR. PEREYA: What's it worth? Yes. I'll

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1 retract it.

2 CHAIRMAN HIXON: Okay. That's gone. So we
3 still have, we still have a motion, we still have the
4 motion on the table as it originally stood with the
5 correction and wording. Call to question -- no. Okay.

6 Okay. Call the question, technically means, that if
7 there are no objections we can go straight to the vote.

8 If there is an objection, then we have to immediately
9 go to two thirds majority to vote. Are there objections
10 to the call to the vote, call to question?

11 (No audible response.)

12 Okay. We are now going to vote. I'm going
13 to do this by a hand vote with counting, for the record.

14 So those in favor raise your hands. Keep them up until
15 I say put them down.

16 MS. GOETHEL: The way it is.

17 PARTICIPANT: Yes.

18 CHAIRMAN HIXON: One, two, three -- eight,
19 nine, ten, eleven. The vote is unanimous. Thank you
20 everyone.

21 MR. PEREYA: Mark, I have to leave temporarily.
22 I don't know if that's going to create a problem.

23 CHAIRMAN HIXON: Not yet.

24 MR. PEREYA: I'll be back as soon as I can.

25

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1 PARTICIPANT: Call if you need a good lawyer.

2 CHAIRMAN HIXON: Yes. God speed. May you
3 be back soon. Okay. We still have a quorum. And we'll
4 have a quorum at least till two, if not further. So,
5 and it's not even 1 o'clock. So we have plenty of time
6 now to approach, if someone can put it up, a motion that
7 I believe Tony wants to make.

8 DR. CHATWIN: Yes. Thank you, Mark. So in
9 light of the discussions that we had earlier, in recognizing
10 the degree of importance that this body has placed on
11 participation and openness and in the whole process of
12 creating the National System of MPAs, I thought it would
13 be appropriate to make the following motion. So I move
14 that the FAC recommend that NOAA, in consultation with
15 the Department of Interior, publish a compilation of
16 sites that meet both the criteria for an MPA and the
17 criteria for entry in to the National System of MPAs.

18 This compilation should be published in conjunction
19 with the publication of the Framework for the National
20 System of MPAs. So that's my motion and I know we need
21 a second.

22 CHAIRMAN HIXON: Thank you.

23 MR. RADONSKI: I'll second.

24 CHAIRMAN HIXON: Seconded by Bob Zales and
25 Gil Radonski. Discussion. I have Max and then Mike.

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1 MR. PETERSON: Let me ask a question of the
2 staff. Number one, do you have the data to do this?
3 Number two, can you do it without holding up the publication
4 of the Framework? In other words, I think it's a good
5 idea. I'm just not sure that we ought to say, ought to
6 published in conjunction with publication of the Framework.

7 Because I'm concerned you may not have the data to do
8 it by then. For example, do you have data on lasting
9 protection, all this criteria that we agreed to this
10 morning, entry criteria?

11 PARTICIPANT: My mic's not working. Rikki,
12 do you want to? I believe we do have that data.

13 DR. GROBER-DUNSMORE: We have, we have
14 information for all OF the information except for the
15 management plan. We're going to go back through the 1,600
16 sites and verify with --

17 MR. URAVITCH: So that means we have the data
18 to do for, definitely to do the criteria, the five criteria
19 related to the definition.

20 DR. GROBER-DUNSMORE: Yes.

21 MR. URAVITCH: So we can develop that set.
22 And what we need to do is go back and examine the data
23 to make sure we have the information about the Management
24 Plan. That we're not certain.

25 DR. GROBER-DUNSMORE: Well, that we're just

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1 going to QA/QC with specific criteria.

2 MR. PETERSON: Let me ask the maker of the
3 motion if he would accept a friendly amendment that say,
4 "If feasible, this compilation will be published."

5 DR. CHATWIN: I do not accept the friendly
6 -- because I think it's imperative that this list, this
7 compilation get published. And so, because I see, I'm
8 looking through the eyes of interested parties, members
9 of the general public. They will get the Framework with
10 criteria and entry criteria. And the first question that
11 they will ask is, how about, how do I the sites that
12 I care about fit within this, how do they fit in relation
13 to all these different criteria? And I think it's just
14 extremely important that this list be published. And
15 if they have, if the Center has to do additional analysis,
16 they will be able to do it.

17 CHAIRMAN HIXON: Okay. A technical point
18 here. From my reading of Robert's Rules there's no such
19 thing as a friendly amendment. So if you've made an
20 amendment, that's something we actually have to consider
21 separately.

22 MR. PETERSON: You can do it, if you want
23 to.

24 CHAIRMAN HIXON: If it's seconded.

25 MR. PETERSON: The motion was decided.

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1 CHAIRMAN HIXON: Yes. Well, Tony -- well
2 anyway. Max, you're the parliamentarian. What's the
3 issue here?

4 MR. PETERSON: Well there are amendments that
5 are called "friendly" that make a motion, can accept
6 or he can say, I don't accept it. Then it requires a
7 second. Because it is a, it is a, and becomes an amendment
8 which has to be voted on first.

9 CHAIRMAN HIXON: Okay.

10 MR. PETERSON: Before you vote on an
11 amendment.

12 CHAIRMAN HIXON: So where -- you're doing
13 it in the former sense of a friendly suggestion.

14 MR. PETERSON: That's the way I started it.

15

16 CHAIRMAN HIXON: Okay. Mike didn't want to
17 accept it. So then I'll make it as a formal amendment
18 that says, "If feasible, this compilation will be published
19 in conjunction with the Framework." Because I don't want
20 to hold up this whole product while somebody gets the
21 data on 1,600 sites because some of these people may
22 not respond immediately. It wasn't clear to me whether
23 this was holding up --

24 PARTICIPANT: Yes. Let's find out.

25 CHAIRMAN HIXON: -- it's not clear to me

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1 whether this is holding up the process. Would one of
2 the federal representatives make that clear?

3 MR. PETERSON: Well, the last sentence says,
4 "It should be published with the publication of the
5 Framework."

6 CHAIRMAN HIXON: Right. Is that feasible
7 or not? Can you do that?

8 DR. GROBER-DUNSMORE: We plan to do this next
9 week. The 1,600.

10 CHAIRMAN HIXON: So this can be done next
11 week and not and not hold up the process. Is that correct?

12 DR. GROBER-DUNSMORE: Correct.

13 MR. PETERSON: I doubt that you can do that
14 next week because you've got to get a response from all
15 of these people. Don't you? Do you have data that says
16 this already?

17 MR. URAVITCH: Yes, we do.

18 MR. PETERSON: Okay. Then I will drop my
19 amendment.

20 CHAIRMAN HIXON: Thank you, Max. Okay. I
21 have Mike, and then Steve, and then Dan and then Bob
22 Zales.

23 DR. CRUICKSHANK: I'm wondering as we had
24 a Draft Framework already does, it have to be called
25 a Final Framework or does it stand by itself?

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1 CHAIRMAN HIXON: This is the Final Framework.

2 DR. CRUICKSHANK: Does it have to be stated
3 as Final Framework?

4 CHAIRMAN HIXON: I don't know. But it's no
5 longer a draft. It's the Framework.

6 DR. CHATWIN: That's my understanding. You
7 have a draft and once you've gone through the deliberative
8 process and you published the final, it is the Framework.
9 But I'm open to putting, "Final Framework," if that
10 makes it -- I just think the process is, the product
11 will be the Framework. Right?

12 CHAIRMAN HIXON: Are you going to call it,
13 is the title going to be The Final Framework or is the
14 title going to be The Framework?

15 PARTICIPANT: The Framework.

16 CHAIRMAN HIXON: The Framework. Okay.
17 Clarified wordage. Okay. Wordage. Wording.

18 Steve Murray.

19 DR. MURRAY: I just don't understand why we
20 would want, why we have this publication of the criteria
21 for an MPA and the criteria for entering in to a National
22 System. If I understand this correctly, that is going
23 to be in the Framework. So if we're looking at generating
24 a list of sites, a compiled lists of sites to indicate
25 which of those are MPAs, then that's what the wish is.

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1 And that could be included as an appendix to the Framework.
2 But it seems that publication of the criteria for an
3 MPA and the criteria for entry is the Framework.

4 CHAIRMAN HIXON: Clarification. Joe.

5 MR. URAVITCH: No. We wouldn't, we wouldn't
6 be publishing the criteria. We'd be publishing the
7 compilation of sites. Oh, wait a minute. Yes. According
8 to Tony's motion, it's the compilation of sites that
9 meet the criteria. And there's two steps. You've got
10 the compilation of sites that meet the definition of
11 Marine Protected Areas. And from that, you apply that
12 second filter which is the Management Plan or community
13 based. And that comes up with your final compilation,
14 which is of the 200 or 400 or whatever that number is,
15 that worked through those two filters. Is that correct?

16

17 PARTICIPANT: But would still have not been
18 --

19 MR. URAVITCH: But would still have not been
20 gone, been nominated. Correct.

21 MR. ZALES: I need explanation on this.
22 Where you are going to publish the Framework, all right,
23 when that's published I'm assuming that's published in
24 a Final Rule. Are you still receiving comments on this
25 Final Framework? Because if you are, I'm going to --

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1 MR. URAVITCH: If you follow the regulatory
2 process, you go through a 30 day cooling off period,
3 following that publication. In which you can provide
4 some final comments if there are major changes to be
5 made.

6 MR. ZALES: But because -- the reason why
7 I asked that because if that's the case, if the Framework,
8 I mean, it goes through the process and I'm assuming
9 then it could possibly still be changed, in some way
10 by public comment. And if that's the case then that
11 Framework may not apply to that list of areas that would
12 comply with the Framework to be an MPA. So you may be
13 putting the cart before the horse, so to speak, is my
14 concern. I don't know. I don't know how that process
15 goes --

16 MR. PETERSON: Let me see if I can suggest
17 a general, that if anybody objects to that expedited
18 Federal Register Publication, you may be forced to do
19 it in 90 days. And you may be forced, in fact, to make
20 changes result of that Federal Register Publication
21 because you have to respond to the federal comments,
22 respond to the federal comments.

23 MR. URAVITCH: Right. But under the
24 Administrative Procedures Act, what's required is a 30
25 day cooling off period following the publication of that

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1 final document. Now we could receive comments during
2 that 30 days which may require us to do something in
3 addition.

4 MR. PETERSON: Yes. You may have to extend
5 it to 90 days or something. Anyway, my concern goes back
6 to Ellen's concern earlier. Is that I'm concerned that
7 they'll lose all of the -- we've got a lot of time and
8 energy invested in this whole thing in getting from here
9 to there. And I think we're going to shift all of the
10 emphasis to this Appendix List which is not the purpose
11 of it, at this point. So I'm concerned about the
12 perception.

13 CHAIRMAN HIXON: Let me get a list here.
14 Hold on. You're already there. Okay.

15 Brian did you have your hand up? Okay. So
16 I have Dan Bromley, then Randy, then Ellen. Dan.

17 DR. BROMLEY: Okay. I think Tony's motion
18 emerged out of some concern about being very clear with
19 the public about what, where we are, what's going on.

20 I believe it was a move towards openness, clarity, in
21 response to questions to people. Maybe it's a little
22 muddled up, and I do not want to offer a motion. But
23 I'd like to ask is whether there's a sense that what
24 would be important to communicate to the public is, we've
25 been working for three and half/four years. We have a

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1 set of criteria that define what an MPA is. And here
2 is a list of 1,640 sites, that have a check by them or
3 no check by them, that indicates which ones meet the
4 criteria. And that's the end of it. Because we're still
5 developing criteria then to be pulled in.

6 But is the information role served simply
7 by recognizing that we have a set of criteria. And of
8 the 1,641 Marine Managed Areas, there's a subset of them,
9 that at the moment, meet the criteria. Do we accomplish,
10 Ellen? The others who worried, you know, who care about
11 communicating with the public. Do we accomplish what
12 needs to be accomplished?

13 CHAIRMAN HIXON: I have Randy, Ellen, and
14 Tony.

15 MR. BOWMAN: I just have a point of
16 clarification for Tony. Is it in fact, do you really
17 want to have both lists published. Because the list of
18 areas that meet the criteria of an MPA has no legal or
19 practical meaning outside of the process for designating
20 areas to be entered in to the system. And yet, there
21 is an enormous potential for public confusion and
22 misunderstanding if we out of the blue publish a notice
23 in the Federal Register that says, "All of these areas
24 are now MPA, are -- meet criteria for MPA." There's a
25 very real risk the public will say, "These areas, the

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1 Feds have just made all these areas MPAs." And I'm just,
2 I just want to make clear that that's in fact what you
3 intend.

4 CHAIRMAN HIXON: So the issue --

5 MR. BOWMAN: And if so, so be it.

6 CHAIRMAN HIXON: -- so the issue is the
7 potential that the intention will not be met and actually
8 perhaps even the opposite. A backfire.

9 MR. BOWMAN: Yes. Given the, given again
10 this term has, the MPA term itself has no legal meaning
11 and no practical meaning other than it, with respect
12 to being eligible for entry in to the system, is just
13 that really what you want to do?

14 CHAIRMAN HIXON: Okay. Thank you. I have
15 Ellen, Tony, Bob Zales and Terry.

16 DR. CHATWIN: Mark. I'm not going to be able
17 to respond to all the questions if I --

18 MS. GOETHEL: Let Tony go.

19 DR. CHATWIN: Because I think normally if
20 there's a question of clarification to the maker a motion
21 --

22 CHAIRMAN HIXON: I'm sorry. Your absolutely
23 correct. Go.

24 DR. CHATWIN: Okay. First, to your -- I don't
25 understand what the difference is between what you

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1 described and what we're attempting to do.

2 DR. BROMLEY: Well, you've got, if I may
3 respond. You've got, this is two pieces to this. All
4 I'm saying is, I am sympathetic to your, to your first
5 idea. Publishing the list of the existing MMAs that meet
6 the criteria which is, which says nothing about the second
7 criteria for entry. We're not talking about entry now.
8 We're just saying, we've been working for a number of
9 years. We have definition of what an MPA would be. Here's
10 a list of MMAs that meet those conditions.

11 DR. CHATWIN: Yes. I --

12 DR. BROMLEY: That's -- but I'm not pushing,
13 I'm just asking.

14 DR. CHATWIN: Okay. So, I was quite
15 deliberate in not putting, using the term MMA and just
16 referring to sites. Because I think that confuses things
17 even more. If you're going to have three lists then,
18 MMAs that qualify that meet criteria for MPAs. And then
19 MPAs that meet criteria for entering in to the system.
20 I think that's more confusing. So that's why I didn't
21 bring that up.

22 But the idea of communicating that we've
23 been working on these criteria for all this time, I think
24 that's going to be captured by the publication of the
25 Framework. The Framework is there and the first question

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1 people are going to say, "Okay how do the sites that
2 I care about, relate to that, these criteria?" And if
3 we, to me, the worst case scenario is have the uncertainty
4 that was expressed around this table, replicated in the
5 general public. And so that's where the idea
6 of, we've discussed that the National System isn't --
7 to enter in to the National System, the site will have
8 to satisfy two sets for criteria. One is, the criteria
9 for definitions as an MPA. And the second, the additional
10 criteria for entering in to the system. And so the --
11 and this goes to Randy's point.

12 And that -- what I am interested in, is the
13 list, or the compilation of sites that meet both those
14 criteria. I think a decision has to be made as to whether
15 they want to publish two lists or one list. I think that
16 the most interesting part for the general public are
17 those that meet both sets of criteria.

18 CHAIRMAN HIXON: Okay. Clarification from
19 Joe.

20 MR. URAVITCH: Just to remember what we
21 discussed earlier. Also this doesn't end the process.
22 And so when these things were published I believe what
23 we need to do is, append the appropriate explanations
24 which say, still that we have to go through agency review,
25 nomination process, public comment, etcetera. But I,

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1 personally and I guess and professional, agree with Tony
2 that we need to say something. Otherwise we're going
3 to come out with the Framework and criteria and people
4 are going to say, "Well what's the effect of this?"

5 CHAIRMAN HIXON: Here's the list as it now
6 stands. Bob Zales actually is on the phone.

7 MS. GOETHEL: Wait. I think you skipped me.

8 CHAIRMAN HIXON: No. You're in there. But
9 your name --

10 MS. GOETHEL: Okay.

11 CHAIRMAN HIXON: You raised your hand after
12 other people.

13 DR. CHATWIN: No. But I jumped in.

14 MS. GOETHEL: Yes. I let him talk and I was
15 supposed to be next.

16 CHAIRMAN HIXON: I'm sorry. I'm sorry.

17 DR. CHATWIN: Sorry Ellen.

18 MS. GOETHEL: That's okay. You needed to
19 answer. I totally agree with Tony. And the way I read
20 this, is not that there are to be two list. But one list
21 that meets both the criteria.

22 PARTICIPANT: Yes.

23 MS. GOETHEL: This is how I read it. So what
24 it says right now is that, one list should be published
25 with the Framework, that meets both criteria for definition

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1 of an MPA and entry in to a National System. And I think
2 that list right there is what's very important. And the
3 public will want to see. That will also give the public
4 time to comment on those sites in particular. And that
5 will give the MPA Center a key to know what to expect
6 if there's any problems. And I think that's always helpful
7 to know what you, what you're dealing with. So I don't
8 see that, that two lists would be helpful at all. I think
9 just the one list that meets both criteria. Very plain.
10 Thank you.

11 CHAIRMAN HIXON: And also, I assume, have
12 it be made very clear that they are not part of the system
13 until such and such a process takes place.

14 MS. GOETHEL: Having the Center publish just
15 a paragraph that reiterates exactly what we just said
16 --

17 CHAIRMAN HIXON: Yes.

18 MS. GOETHEL: -- today would be perfect.
19 In bold print, underneath. You're all set.

20 CHAIRMAN HIXON: I hear that. Okay. Here's
21 the list I now have. Correct me if I'm starting to lose
22 my mind.

23 I have Bob Zales, Terry, Mike, Laura and
24 Steve.

25 MR. ZALES: Okay. I'm not sure what, I mean,

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1 I agree with this because and I think your intent is
2 more outreach to people, to the public, to let them be
3 aware of where all this stands and where it is. Working
4 this through the federal system, through the Federal
5 Register and whatnot, I'm not sure is the best way to
6 do that. To me, it's more of an outreach thing, that
7 clearly, it appears to me that the will of this panel
8 is to do something like this.

9 And in my mind, a better way may be, to just
10 direct the Center staff to publish an outreach thing
11 to send out to the public. Send it to the people who
12 control these MPAs, MMAs, whatever you want to call them.

13 Send them to the public at large and say, "Look here
14 is the deal. Here's how these things are listed. Here's
15 the potential of where they can go. We're making you
16 aware of it." Because until that Framework is done,
17 nobody really knows what the potential is going to be
18 for a national candidate to begin with.

19 And so by bogging up the federal system with
20 Federal Register because 99.9 percent of the public don't
21 have a clue what the Federal Register is. I read it every
22 day. But I only started that in the past couple years.

23 It's only because I've been involved in this system
24 that I've done it. Because I've gotten screwed so many
25 times by the agencies telling me, "Oh, it was published

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1 in the Federal Register so it was public knowledge."
2 Well I'm sorry that's a way of doing it. But that's not
3 the way reality works. So it may be that the staff can
4 do this at direction of this panel and bypass all the
5 legal part of this thing. I don't know. I mean, that's
6 just a suggestion.

7 CHAIRMAN HIXON: I believe the motion, it
8 doesn't mention the Federal Register. It's -- I'm talking
9 about getting that list in the Framework. Publish it
10 with the Framework.

11 MR. ZALES: Okay.

12 CHAIRMAN HIXON: Okay. I have Terry, Mike,
13 Laura, and Steve and Max. Terry, you're up.

14 MR. O'HALLORAN: Okay. First of all, I, you
15 know, I agree with what Tony's trying to do and trying
16 to communicate in outreach to as many as we can, to let
17 them know about what we're, what we're doing and where
18 we're at in terms of how MPA or MMAs or MPAs, that they're
19 familiar with, where that might fit in the system.

20 I do think we need to be very careful, to
21 make sure that people understand that there is no intent
22 to change an MMA or some other designation to an MPA.

23 I think Randy made a point that we want to be very,
24 very careful. Because we will, we'd have a firestorm
25 if there was a perception that there was any intent at

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1 all, that know your MMA is going to be an MPA.

2 So it seems to me that if, in sitting in
3 my home state in Hawaii and I'm looking at these areas,
4 what would be important to me is the, is, the most important
5 one is, the criteria for what I have. What that entity
6 is. Whether it would fit in to a National System or not.

7 And I think that that is the most, to me that's the
8 paramount part of this, of this criteria. Yes. You have
9 to go through the first criteria to be, you know, to
10 meet the criteria of a definition of an MPA before you
11 can be subject to nomination.

12 But I think the most important part that
13 we would want to communicate is, is this area, would
14 it, would it fall in to be eligible for nomination. I
15 guess that's the term. Eligible for nomination in to
16 a national system. And that I think would be very good
17 for people to know and to understand. But, so I think
18 we really downplay the other part of definition as an
19 MPA.

20 CHAIRMAN HIXON: Okay. Mike, Laura, Steve
21 and Max.

22 DR. CRUICKSHANK: We're along the same lines.
23 And I think it's a great idea to have this done. But
24 I don't, I didn't know if there was a difference between
25 the criteria for an MPA, the criteria for entry. I thought

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1 you had to have that criteria there to enter, but it
2 would, those are the ones we already picked out from
3 the MMAs.

4 CHAIRMAN HIXON: Yes. That was actually
5 part of Ad Hoc Subcommittee B's product.

6 DR. CRUICKSHANK: Yes.

7 CHAIRMAN HIXON: There were three, there were
8 three things required for entry in the National System.
9 One is meeting the federal definition of an MPA.

10 DR. CRUICKSHANK: Yes.

11 CHAIRMAN HIXON: One is meeting the entry
12 criteria.

13 DR. CRUICKSHANK: Yes.

14 CHAIRMAN HIXON: And one is the nomination
15 process. Yes.

16 DR. CRUICKSHANK: That required to change
17 any MMA to an MPA. I think it's a duplication of the
18 criteria for an MPA and criteria for entry. They're so
19 similar that it's awfully confusing to put them both
20 in like that. I kind of, I agree with the last speaker
21 that we only need one. I think.

22 PARTICIPANT: One less.

23 CHAIRMAN HIXON: Laura are you still here?

24 MS. WALKO: Sure.

25 CHAIRMAN HIXON: Oh, there you are.

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1 MS. WALKO: For those of you who don't know
2 who I am, I'm a communications specialist with the Office
3 of Ocean and Coastal Resource Management which is the
4 home office of the MPA Center. This is honestly my first
5 foray in to MPA. So I am an outsider. And it's been
6 very interesting to kind of listen. So, from the
7 outsider's perspective and, you know, as someone who
8 is going to look at this from the public's perspective,
9 I would strongly recommend some changes to the language,
10 if your goal is to really communicate the difference
11 between sort of the two sets.

12 I can offer up some language now if you'd
13 like, that we can debate. But my recommendation will
14 be to publish compilation of sites that fit the description
15 of an MPA and meet the criteria for nomination to the
16 system. Because that way you get away from two different
17 sets of criteria that the public have to interpret and
18 understand. And then understand why a site can fit
19 criteria for one aspect of it, but not the other. That
20 requires a lot of additional work on the part of the
21 public to try and understand what's going on. And it
22 flags some concerns for some folks about, we're listing
23 these as MPAs, therefore they're going to become part
24 of the system. We might not necessarily want them to
25 be part of that system.

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1 CHAIRMAN HIXON: Okay. Would you be willing
2 to write down your specific suggestion regarding wording?

3 MS. WALKO: Sure.

4 CHAIRMAN HIXON: Great. Thank you, Laura.
5 And just bring it up here.

6 I have Steve and then Max. DR.

7 MURRAY: I think the way, the way I would like to see
8 this handled is, it goes back to what's in the Draft
9 Framework Guidelines at the moment. You know there's
10 a whole chapter in here entitled, The Official List of
11 MPAs. And this chapter requires that the MPA Center
12 regularly published an updated summary version of the
13 list of MPAs in the Federal Register. And this is with
14 reference to those that would be in the National System.
15 And by the way, it says, you have to do this at least
16 twice a year in the Federal Register. I think you may
17 want to really look at that.

18 But it also indicates that they are to maintain
19 the full version of the list of MPAs in searchable and
20 downloadable format on their website. So, you know, if
21 you're going to maximize communication, I think what
22 you would like to, I'd like to see is that website would
23 have exactly what Laura just said. Part of the website
24 would be the list of MPAs. Part would be those that met
25 the criteria. And then you could even have another column

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1 that would be those that are part of the National System
2 as things move across.

3 But I think that they can handle this by
4 simply going and putting on their website the, as part
5 of the official list of MPAs, the information that Tony
6 is trying to make sure gets out there to the public.
7 And you know, there's something of real value, at least,
8 to have part of that list to clearly show everybody those
9 that have met the criteria that we've been talking about.

10 Because that would be there as well. And you can certainly
11 start from that you as put the Framework together.

12 CHAIRMAN HIXON: I have Max and then Ellen.

13 MR. PETERSON: I think we're approaching
14 robust agreement. In talking to, in talking to Joe about
15 this, I think you need to do a few things. I think you
16 need to publish a list. Then you need to say, "The
17 publication of this list does not change the status of
18 any area. It remains under current jurisdiction. It
19 in no way changes the rules about -- in other words,
20 you need some disclaimers to say what this list doesn't
21 do. And you need to say, "This list will be used then
22 to seek nominations for entry in to this National System,"
23 and so on. And explain those next steps.

24 So you make people, you -- as somebody told
25 me one time, you need to tell people what you're doing

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1 but also what you're not doing. And we need to tell people.

2 When I talked to Joe about -- I'm comfortable that Joe
3 can do it. And so I'm, I'm okay to go ahead.

4 CHAIRMAN HIXON: Okay. Ellen.

5 MS. GOETHEL: I agree with you Max and Steve.

6 In response to what you have to say, I'd love to see
7 it on website. But it needs to be with the Framework
8 on, in published form because there are a lot of people
9 who don't. I realize this is very difficult to believe,
10 but there's a lot of people who are not on the internet
11 --

12 CHAIRMAN HIXON: Sure.

13 MS. GOETHEL: -- and can't get that
14 information easily.

15 CHAIRMAN HIXON: Okay. Tony.

16 DR. CHATWIN: Thank you. I think the
17 suggestions that are being made are really good ones.

18 Now I want a word of caution. First is, the list that
19 you're referring to, is the Official List of MPAs.

20 CHAIRMAN HIXON: You talking to Steve Murray.

21 DR. CHATWIN: Yes. Steve Murray. That
22 Steve Murray is referring to, is the Official List of
23 MPAs. That's different to what we are talking about here.

24 The Official List of MPAs are the sites that have gone,
25 that have met the entry criteria, the criteria for all

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1 MPAs and have gone through the nomination process.

2 CHAIRMAN HIXON: And been accepted in to the
3 National System.

4 DR. CHATWIN: Exactly. Those -- that's the
5 Official List of MPAs. And we need to be very careful
6 about that.

7 CHAIRMAN HIXON: About the difference.

8 DR. CHATWIN: This is about the precursor
9 to that Official List. It's something from which
10 potential candidates could emerge. And I think that was
11 it. I just think it's -- oh, and the other one is regarding
12 Laura's comments. But I want to emphasis, I think it's
13 very important that this be published in conjunction
14 with the Framework.

15 Now to the suggested change in words. I
16 appreciate the, the intent of better communication. And
17 I'd like to see us make this work. But the focus of this
18 is, to make recommendation to NOAA and the Interior.
19 Not to the general public. And make very clear links,
20 through these words, to the documents and terminology
21 we've been using. And for example, I don't know offhand
22 if what we talk about in the Framework is a description
23 of an MPA or if they're criteria. It's definition.
24 Definition of an MPA. So we -- so you know, I really
25 appreciate the suggestions. But I think we need to really

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1 be faithful to the words we've been using. And-- pardon?

2 And the criteria for nomination to join the National
3 System. And -- well we talked about today in our
4 recommendations that we voted to submit to, to NOAA and
5 to Commerce and Interior were entry criteria.

6 PARTICIPANT: How about meet the entry
7 criteria for nomination?

8 DR. CHATWIN: Is that what, is that, I mean,
9 that sounds to me as more -- entry criteria for nomination?

10 CHAIRMAN HIXON: They can't be nominated
11 unless they meet the definition and the entry criteria.

12 DR. CHATWIN: We talked about the entry
13 criteria in to the National System.

14 CHAIRMAN HIXON: Yes.

15 DR. CHATWIN: So what we could do is to --
16 let's not type this yet. But, and meet the entry criteria
17 for the National System period. These sites could be
18 potentially eligible for nomination. Something like that.
19 But --

20 MR. PETERSON: The definition might be
21 appropriate.

22 DR. CHATWIN: No. The definition is done
23 in the second paragraph. I think that's not a problem.

24

25 CHAIRMAN HIXON: These are two alternative

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1 paragraphs. Right?

2 PARTICIPANT: Right.

3 CHAIRMAN HIXON: Okay.

4 DR. CHATWIN: I'm focusing on the second
5 paragraph which is the --

6 CHAIRMAN HIXON: That's the altered wording
7 paragraph.

8 DR. CHATWIN: Yes. If, if the seconder and
9 the committee feel comfortable with, "Meet the criteria
10 for nomination to join the National System," I mean,
11 I'd go along with that. It just seems like, it doesn't
12 resonate with me. But --

13 PARTICIPANT: The one --

14 DR. BROMLEY: There is still some serious
15 ambiguity here. This, I mean, if you read that second
16 paragraph, now in a sense, the list has to be two criteria.
17 I'm sorry there's, there's vagueness still in here.
18 And that's not --

19 DR. CHATWIN: That is the intention. That
20 is the intention.

21 DR. BROMLEY: So then it won't be --

22 MR. PETERSON: It won't be just an inventory.

23 DR. BROMLEY: It's not an inventory of the
24 1,640 sites that that fit the definition. It is, it is
25 210 sites.

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1 DR. CHATWIN: Whatever it is. Yes. It's
2 those that do exactly that. Meet both -- that's why the
3 word both is in there.

4 DR. BROMLEY: Meets both of these criteria.

5
6 DR. CHATWIN: Yes.

7 MR. PETERSON: That would be 400 sites instead
8 of 1600.

9 DR. CHATWIN: And the word "both" has been
10 removed. And I think that's pretty important. Because
11 that I try to publish, if you look at the first paragraph
12 it says, "Publish a compilation of sites that meet both
13 the criteria for an MPA."

14 PARTICIPANT: The second is just too
15 unwieldy.

16 DR. CHATWIN: Yes. I think.

17 MS. WALKO: We can change it back to "entry."
18 I would recommend that --

19 DR. CHATWIN: No, it's not --

20 MS. WALKO: -- you take another sentence to
21 explain what that means. Because, as someone from the
22 public, if it meets the criteria for entry, it's going
23 to be entered in to the system. That's the logical next
24 step.

25 DR. CHATWIN: Not if in the document you

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1 have said, "Okay now these, these sites." So the document
2 will have further explanation, but it doesn't mean that
3 in this motion, we have to have everything explained.

4 But --

5 MS. WENZEL: Which paragraph do you want to
6 work from?

7 PARTICIPANT: Top one.

8 DR. CHATWIN: Well, we'd have to look at the
9 procedural issues but --

10 MR. ZALES: If the seconder, if you're happier
11 with the second part, I'm okay with it. It don't matter
12 to me.

13 DR. CHATWIN: We're just brainstorming but
14 I think that we need to change "The criteria for an MPA"
15 to "A definition of MPA," on the first paragraph.

16 MS. WENZEL: You want to change this to, "the
17 definition"?

18 DR. CHATWIN: Yes. Because that is what we'd
19 be -- those are those criteria. Right?

20 PARTICIPANT: Yes.

21 DR. CHATWIN: That's the term used. Okay.

22 And today, if I'm not mistaken, we talked about, criteria
23 for entry. Let's look at the Charge of Subcommittee B
24 and see -- is it B or A? I'm not sure.

25 MR. URAVITCH: Maybe you clarify and say that,

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1 "In the additional criteria for entry," just -- I mean,
2 I know it's a bit of redundancy there, but just so people
3 know that, the definition and criteria aren't the same
4 thing.

5 MR. ZALES: For the public, redundancy is
6 good.

7 DR. CHATWIN: Yes. You think it's a good
8 idea. Let's go with it.

9 MR. URAVITCH: Therefore, it's clear, there
10 is something else. Framework.

11 DR. CHATWIN: No. No, framework.

12 PARTICIPANT: It's not framework. MR.
13 URAVITCH: Just so it's clear, there is something else.

14 DR. CHATWIN: But are those additional
15 criteria going to be published as additional criteria?

16 MR. URAVITCH: They would have to go in to
17 the Framework. Again, you're directing us to do something
18 and we can deal with the phraseology.

19 DR. CHATWIN: Okay. As long as you -- you
20 may not have criteria for entry and additional criteria?

21 PARTICIPANT: We did. Yes.

22 DR. CHATWIN: Yes.

23 MR. KELSEY: Good point. In the Framework
24 we have the definition of MPA and then we have additional
25 criteria. The only thing I do want to clarify here is

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1 that, when you're saying, "Meet the definition of an
2 MPA," you're talking about Area Marine Lesting Reserved.

3 So in parentheses, after that, meet the definition of
4 MPA, I would put, "And key terms." Because that's what
5 we call those in the Frameworks. "And key terms" or "And
6 associated key terms." Because those, that refers to
7 not, not only the definition of MPA but the qualifying
8 Area Marine Lesting Reserved and Protection definitions
9 that really are what the MPA definition is all about.
10 Without those, it's, you know, very, very broad.

11 DR. CHATWIN: So would the key, the key terms
12 are different to the definition?

13 MR. URAVITCH: They're further defined.

14 DR. CHATWIN: Mr. Chair could you ask if it's
15 --

16 CHAIRMAN HIXON: Tony question for, I mean,
17 Jonathon question for you from Tony.

18 DR. CHATWIN: The key terms are something
19 separate to the definition?

20 MR. KELSEY: Well, the definition of MPA is,
21 any area of the marine environment reserved for lasting
22 protection. Okay. They key terms are "area, lasting,
23 marine environment," that are once again defined for
24 Marine Protected Areas.

25 CHAIRMAN HIXON: So those, those -- the

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1 definition of those five key words are actually part
2 of the overall definition --

3 MR. KELSEY: Right.

4 CHAIRMAN HIXON: -- of an MPA.

5 MR. KELSEY: Well, yes.

6 CHAIRMAN HIXON: They are.

7 MR. KELSEY: I don't think that it should
8 be, it should lost there because --

9 DR. CHATWIN: I think definition --

10 PARTICIPANT: And key terms.

11 DR. CHATWIN: -- and key terms, the
12 parentheses should go after definition.

13 MR. KELSEY: Right.

14 MR. PETERSON: Definition and --

15 CHAIRMAN HIXON: How about definition of an
16 MPA, including key terms --

17 MR. KELSEY: Perfect.

18 CHAIRMAN HIXON: -- in parentheses.

19 MR. KELSEY: I'm not, I'm not trying to over
20 complicate it, but that's a pretty important qualifier.

21 CHAIRMAN HIXON: In parentheses, "including
22 key terms."

23 DR. CHATWIN: Okay.

24 CHAIRMAN HIXON: Imagine the guy in the street
25 reading this stuff.

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1 DR. CHATWIN: But it's not intended for the
2 guy in the street.

3 CHAIRMAN HIXON: This is for the --

4 DR. CHATWIN: The, the --

5 PARTICIPANT: This is not for the public --

6 DR. CHATWIN: I'm not sure we want one and
7 two.

8 MS. WALKO: The way that it's worded.

9 DR. CHATWIN: Again that "both" has gotten
10 out of there without --

11 MS. WALKO: But the way that was phrased
12 you've got "both" right with -- it's a grammatical thing.
13 You've got "both" with "definitions." So that, it's
14 a grammar thing.

15 MR. PETERSON: You need too, in there --

16 PARTICIPANT: It's a grammar thing.

17 MS. WALKO: Yes.

18 MR. PETERSON: Then you don't need "both."

19 CHAIRMAN HIXON: That include -- yes. That
20 would include both.

21 Terry, did you have your hand up?

22 MR. O'HALLORAN: Yes.

23 CHAIRMAN HIXON: No. Did you have your hand
24 up?

25 MR. O'HALLORAN: Yes.

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1 CHAIRMAN HIXON: Okay. So it be Terry and
2 then Jim.

3 MR. O'HALLORAN: Just -- is it my turn?

4 CHAIRMAN HIXON: It is.

5 MR. O'HALLORAN: And this is, this is maybe
6 a, just a, or a way to say it. Do we -- since we're talking
7 about consultation with Department of Interior, is this
8 going to the Department of Commerce or do we actually
9 send it to NOAA? Or do we send it to the Department of
10 Commerce? CHAIRMAN HIXON: This goes to both.

11 Just like everything we produce, it will be addressed
12 to both the Vice Admiral and the Under Secretary.

13 MR. O'HALLORAN: But for this motion. I mean
14 FAC, you know, the FAC recommends that NOAA or Commerce?
15 I mean that, I'm just asking a question. Do we go, do
16 we do this, do we go straight to NOAA here?

17 CHAIRMAN HIXON: How about the National MPA
18 Center?

19 PARTICIPANT: No.

20 CHAIRMAN HIXON: Do it to Commerce. Fine.
21 Commerce. Department of Commerce.

22 PARTICIPANT: Okay.

23 MR. O'HALLORAN: That was my --

24 CHAIRMAN HIXON: Good. Thanks Terry. Jim
25 then Bob Zales.

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1 DR. RAY: Yes. You know Steve and I were
2 just looking at the Framework here. An awful lot of what
3 you're talking about is covered, for the most part, on
4 pages 24 and 25 of the Framework. The detailed process.
5 The qualifiers about, you know, you may be on the list
6 but you may be nominated but you may not be accepted.
7 All that language is right here. So an awful lot of
8 things that we're reworking here, it's already here.
9 I suggest we go back and read this again before we reinvent
10 the wheel.

11 CHAIRMAN HIXON: Okay. Jim. Bob Zales.

12 MR. ZALES: I say it's getting way too
13 complicated here. Because it appears to me that this
14 a real simple thing that we've just complicated the hell
15 out of. The intent to me is clear with this, as to what
16 we want them to do. And so that we didn't give them the
17 license to then develop an outreach paper. Whatever you
18 want to call it. That's going to do what this has to
19 do. And then they've got the knowledge and everything
20 that's in there to do it. And they send it out there.
21 And they don't just put it on their website. They go
22 further than that. Because like Ellen said, there's a
23 lot of people out there that's, there's a lot of people
24 that have computers that don't go to websites everyday.
25 And there's a lot of people that don't have computers,

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1 period. So it needs to go further than that by, you know,
2 they'll have to get with constituent organizations, I
3 guess, and things like this. So if you really want this
4 out in the public to spread it around and then people
5 like us, then spread it around to people that we deal
6 with on a daily basis. And so on and so forth. I don't
7 have any problem with the way it's listed.

8 But I think clearly they're going to have
9 to be able to play with it some because you can't fine
10 tune it enough for them to do what exactly what you want
11 to do. They've got to have some kind of freedom to do
12 the intent of what we want done which is to notify the
13 public what these things are and what they could be.

14 CHAIRMAN HIXON: Thank you, Bob. Is there
15 further discussion? Tony.

16 DR. CHATWIN: Before we take a vote, we need
17 to strike the second paragraph because it's just repetitive.

18
19 PARTICIPANT: Is everybody okay with the
20 first one?

21 DR. CHATWIN: Yes.

22 CHAIRMAN HIXON: Strike the second one and
23 then we'll see.

24 DR. CHATWIN: Yes. Because --

25 MR. PETERSON: The first one is your motion.

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CHAIRMAN HIXON: Is your amended motion.

DR. CHATWIN: If my seconder agrees.

CHAIRMAN HIXON: It's already done. Is there further discussion? Are we ready to vote? I've got to read this. Tony will you read your motion one more time please.

DR. CHATWIN: "The FAC recommends that the Department of Commerce in consultation with the Department of Interior publish a compilation of sites that meet; One, the criteria, the definition of an MPA, including key terms. And two, the criteria for entry into a National System of MPAs. This compilation should be published in conjunction with the publication of the Framework for the National System of MPAs."

PARTICIPANT: Very clear.

CHAIRMAN HIXON: That sounds pretty clear to me. All in favor say aye.

(Chorus of ayes.)

All opposed say no.

(No response.)

The motion carries unanimously.

DR. CHATWIN: Thank you everybody for your help with that.

CHAIRMAN HIXON: Thank you everyone for

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1 working so hard to get us through this, under the wire.

2

3 We still have incredibly important work to
4 do, that this present work sort of side tracked us from.

5 So we're not done. And I want -- we're not going to
6 be doing any more voting except perhaps a resolution
7 of thanks at the very end which may or may not be formal,
8 depending upon how many people are here. But we've still
9 got a lot of work to do. So I think it's a
10 good time for a break.

11 PARTICIPANT: My vote was tabled --

12 CHAIRMAN HIXON: We're finished voting.
13 There's nothing else to vote on at this meeting. So we
14 won't need the quorum. So the quorum issue is no longer
15 an issue, essentially. So the tabled motion set earlier
16 will just die on the table.

17 PARTICIPANT: I didn't bring anything up.

18

19 CHAIRMAN HIXON: Okay. What motion? Okay.
20 So, we deserve a good break. Let's take twenty minutes.
21 People can go out and run around the block. Anything
22 they can do. Let's -- but, but please stay. If you must
23 leave, talk to me. We've got a lot of work still to do.
24 2 o'clock. Thanks everyone.

25 (Whereupon, the foregoing matter went

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1 off the record at 1:40 p.m. and went
2 back on the record at 2:03 p.m.)

3 CHAIRMAN HIXON: Okay. We're reconvening.
4 The next few hours are extremely important. So I don't
5 want to -- Dan and Tony are you finished?

6 (No audible response.)

7 Thank you. The next few hours are extremely
8 important. We began standing subcommittee work after
9 our last progress report was published in 2005. And at
10 our next meeting, the October meeting, after the next
11 meeting we will lose half our membership. So essentially,
12 the FAC is going to be starting over. It will be a new
13 FAC, after the October meeting. So it is imperative,
14 out of respect for the hard work that all the FACs put
15 in but especially out of the respect for the 15 people
16 who are leaving, that we complete this round of standing
17 subcommittee work at the October meeting. To
18 that end, the MPA Center, despite its well below adequate
19 resources, have made resources available for each standing
20 subcommittee to meet once between now and October. That
21 is option, that's at the discretion of the subcommittee.
22 That's not something that anyone can force. But those
23 resources are available. So what I want to do is -- and
24 so I want the intention to be that each subcommittee
25 focus today on determining what it is that they can

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1 realistically complete by the end of the October meeting
2 that will benefit this ongoing process. This is not busy
3 work. These are very substantive issues.

4 So the first thing I want to do is sort of
5 see what fraction of each subcommittee is still present
6 and remind people what subcommittee they're on. There
7 is a list, I believe, in your packet. Did we get a packet
8 of standing subcommittees?

9 PARTICIPANT: Yes.

10 CHAIRMAN HIXON: So there is a list in your
11 packet, of the standing subcommittees.

12 MR. PETERSON: One page.

13 CHAIRMAN HIXON: The one page list. Yes.
14 So Subcommittee 1 is, Identifying Regional Priorities.
15 And I understand, And Coordination for Conservation.
16 There's, each subcommittee has Co-Chairs. Co-Chairs
17 of that one are Max Peterson and Bob Zales.

18 Charlie is here for a little while longer.
19 He will be leaving. Bob Bendick is gone. Dave Benton
20 is gone. Mike Cruickshank is here. Eric Gilman is gone.
21 Jim Ray is here. Jim Woods never was, never here. Mary's
22 had to leave. And is Jackie Schafer here?

23 PARTICIPANT: No.

24 CHAIRMAN HIXON: And Jackie's not here. The
25 staff liaison is Jonathon Kelsey.

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1 So what I'm asking each, what staff liaison
2 member to do and be thinking about right now very, I
3 think, you've been thinking about it before is, additional
4 guidance on what exactly will be useful for this
5 subcommittee to complete. So essentially, there's right
6 now, there's four members of the subcommittee present.

7 And soon it will be just three. So I'm asking those
8 members to very clearly focus and do as much as they
9 can with the work of that subcommittee.

10 Subcommittee 2, Incentives and
11 Implementation for an Effective National System of MPAs.

12 This is an extremely important task. This idea of
13 incentives. So my hope is that you guys really take it
14 and run with it. Tony Chatwin and George Lepoint are
15 Co-Chairs. George is not at this meeting. Tundi Agardy
16 is absent. Dennis Hinneman is absent. Terry is here.

17 Lelei, not here. Wally said he's coming back. Dan is
18 here. KayWilliams has never been here. And staff liaison
19 is Lauren. So there are one, two, three, four members.

20 One, two, three, four members there as well.

21 And finally, Subcommittee 3, MPA Natural
22 and Social Science is Co-Chaired by Steve and Ellen who
23 are both here. John Halsey is here as well. I'm here.

24 Bonnie did not make this meeting. John Ogden did not
25 make this meeting. Gil is here til the end. Is Roxanne

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1 Nicholas here?

2 PARTICIPANT: No.

3 CHAIRMAN HIXON: Roxanne Nicholas is not here.

4 Staff liaison is Charlie Wally.

5 So each one of these standing subcommittees
6 basically has four, five, or fewer people. So obviously
7 you're not going to get a huge amount done. But extremely
8 importantly, especially for the Chairs, we must focus
9 on what's accomplishable between now and the end of the
10 October meeting, working with your staff liaison. Start
11 outlining that as much as you can. Start planning whether
12 you believe an extra meeting is going to be important
13 between now and then. And get very realistic about a
14 useful product for this ongoing process. So that by the
15 end of the October meeting, we can have a big celebration
16 and bid farewell to half our membership.

17 Questions, comments, discussions. Mike.

18 DR. CRUICKSHANK: Are we going to meet with
19 the -- together as committees, subcommittees?

20 CHAIRMAN HIXON: That's right. We're about
21 to break for subcommittee work.

22 DR. CRUICKSHANK: I'll leave the questions
23 until then, I guess.

24 CHAIRMAN HIXON: I'm sorry.

25 DR. CRUICKSHANK: I should leave the

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1 questions until that time or can I ask one now?

2 CHAIRMAN HIXON: I'm not sure what your
3 question is.

4 DR. CRUICKSHANK: Okay.

5 CHAIRMAN HIXON: Is your question regard,
6 is your question for a particular subcommittee?

7 DR. CRUICKSHANK: Yes.

8 CHAIRMAN HIXON: Are you member of that
9 subcommittee?

10 DR. CRUICKSHANK: Yes.

11 CHAIRMAN HIXON: Then I'd say save it til
12 you're in your subcommittee group please. Brian.

13 DR. MELZIAN: Just for my edification. Is
14 it possible just to have a brief two minute update of
15 what the committees have done today?

16 CHAIRMAN HIXON: I was going to ask for that.
17 That's a good point. Thanks for reminding me.

18 Gil.

19 MR. RADONSKI: So we can get into a discussion
20 within our subcommittees on what we should plan --

21 CHAIRMAN HIXON: Yes.

22 MR. RADONSKI: -- can Lauren give us some
23 idea of how much time? Would it be a two day meeting
24 etcetera?

25 CHAIRMAN HIXON: Good point. Good point.

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1 MR. RADONSKI: So we know what we can plan.

2 CHAIRMAN HIXON: Resources available. Well,
3 yes. This is, was sort of an Ad Hoc thing.

4 MS. WENZEL: Are you talking about the
5 subcommittee meeting?

6 CHAIRMAN HIXON: Yes. The subcommittees
7 will be coming in together as a face-to-face meeting.

8 MS. WENZEL: Right. Well I guess, we'd want
9 to hear from you, what you think you need. And then we'll
10 take all of those needs in to account and see what we
11 can do.

12 CHAIRMAN HIXON: Okay. So yes, I would like
13 a brief update, if you can, from each one of the
14 subcommittees. So everyone knows where each subcommittee
15 is at the present time. And maybe even saying what they've
16 already accomplished. But what's there and what the
17 intention was, at the end of our meeting in Oregon last
18 October.

19 So Subcommittee 1, Identifying Regional
20 Priorities and Coordination for Conservation. Max or
21 Bob would you present a summary please?

22 MR. PETERSON: We will.

23 CHAIRMAN HIXON: Okay. Which one of you want
24 to do it? Can you do it right now just off the top?

25 MR. PETERSON: You mean, identifying

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1 regional priorities?

2 PARTICIPANT: No. What activities.

3 CHAIRMAN HIXON: Yes. What you have
4 accomplished so far in your subcommittee? And what was
5 the, what was your intention when you left Oregon?

6 MR. PETERSON: Well, Jonathon, Jonathon sent
7 out some work for us to look at on the internet. And
8 we responded. And he fed it back to us once during the
9 time that we haven't been here. But we have not taken
10 that second bunch of material and converted it in to
11 a report.

12 CHAIRMAN HIXON: Okay. So you have sort of
13 a draft report.

14 MR. PETERSON: A work in process.

15 CHAIRMAN HIXON: A work in process. Okay.
16 Thank you. Subcommittee 2. Tony can you give us an
17 update on Incentives and Implementation for an Effective
18 National System?

19 DR. CHATWIN: Yes. I can.

20 CHAIRMAN HIXON: Thank you. And will you?

21 DR. CHATWIN: I will.

22 CHAIRMAN HIXON: Now.

23 DR. CHATWIN: Okay.

24 CHAIRMAN HIXON: Thank you.

25 DR. CHATWIN: So when we last met in Oregon,

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1 we had reached a consensus within the committee, the
2 subcommittee regarding the need for additional entry
3 criteria, as part of our discussions on the implementation
4 part of our mandate. And from that point on, we had
5 subsequent telephone conference which then help inform
6 the comments that the FAC submitted on the Framework.

7 CHAIRMAN HIXON: Right.

8 DR. CHATWIN: Since those comments were
9 elaborated, we haven't really met, or discussed, or worked
10 as a subcommittee.

11 CHAIRMAN HIXON: Okay.

12 DR. CHATWIN: But what we -- so that's one,
13 one aspect. The idea was that, we would further develop
14 that. And I'm delighted to have seen the Ad Hoc
15 Subcommittees do that. So of course, I'm going to consul
16 with the subcommittee, but it seems to me our focus is
17 going to be entirely on the incentives piece from now
18 on.

19 CHAIRMAN HIXON: That makes sense.

20 DR. CHATWIN: And to that end, we had already
21 developed some work, both on non-financial incentives
22 and then some financial ones. Although the discussion
23 on financial was, was weak for lack of examples. But
24 we have discussed looking at existing statutes that have
25 financial incentives tied to criteria, to access those

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1 incentives, as examples that we could point to. You know,
2 we don't have any money to disburse, but we would be
3 suggesting models that are being, seem to have been
4 successful in the past.

5 CHAIRMAN HIXON: Okay.

6 DR. CHATWIN: And we do have a list of
7 non-financial incentives that we would -- what we need
8 to do is, put it in to context now, of the Framework.

9 CHAIRMAN HIXON: So the tangible item you
10 have at the present is a, is a list as opposed to a document
11 per se.

12 DR. CHATWIN: That's right. We do not have
13 a document.

14 DR. CHATWIN: Okay. Great. Thank you. In
15 Subcommittee 3, is Steve and Ellen. Do you have a report
16 for MPA Natural and Social Science?

17 DR. MURRAY: Yes. If you remember, in Oregon,
18 we brought forward a work product in on the ecosystem
19 based management piece that we worked on, prior to Oregon
20 meeting. And then finalized that and achieved approval.
21 We also, our subcommittee also in Oregon --

22 CHAIRMAN HIXON: And by the way, that's, that
23 is in everyone's packet in final form, along with my
24 cover letter. Thanks.

25 DR. MURRAY: Also in Oregon, then when we

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1 started to get in to our deliberations we took a lot
2 of the responsibility for working on the Draft Framework
3 Guidelines.

4 And when we left Oregon, we took on a lot
5 of the responsibility of, first of all, compiling and
6 putting together the statements related to that, that
7 we all voted on in our phone conversation.

8 In addition, when -- before we left Oregon,
9 we had identified two major potential work products.
10 One of those work products was to develop additional,
11 well develop a short statement that followed up on Gail
12 Osherenko's ocean zoning talk. And John Ogden was going
13 to take the leadership on that. And although I don't
14 believe he has made enormous progress, I believe he has
15 made progress. He has been participating in an NCEAS
16 workinggroupwhereoceanzoningissuesarebeingdiscussed.

17 And so there are a lot of things that are happening
18 at that NCEAS working group that John is aware of. And
19 might well be able to bring forward here. Easy to speak
20 for John, since he's not here.

21 Secondly, the other work product which really
22 has not been flushed out, was a product related to, at
23 least a contribution on, maybe the importance significance
24 or goals, procedures related to evaluation and monitoring
25 of MPAs.

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1 And those were the two areas that we had,
2 we had identified. Now it may turn out and I think that
3 the way that, at least I envisioned it, was that the
4 zoning piece would come first. And I think we discussed
5 this as a subcommittee. And the evaluation and monitoring
6 piece was going to take longer to develop and get targeted
7 and focused. Those may or may not be the most important
8 ways for us to spend our time between now and October.

9 We need to get re-calibrated I think. And have that
10 discussion in hear from our MPA Center liaison to see
11 where we can best spend our time. That's my report.

12 CHAIRMAN HIXON: Thank you. Terry.

13 MR. O'HALLORAN: Steve, I just, just a
14 question. Because I wasn't in the Oregon meeting. But,
15 is your subcommittee making progress or really dealing
16 with the social science aspect of, of this?

17 DR. MURRAY: Well we, we have, you know, we
18 have John Halsey and Bunny McCay who are participants
19 on this group. And we talked about social science issues,
20 as we moved along, in all of our deliberations. However,
21 when we look at what work products that we were trying
22 to flush out and move forward on, they fall in to two
23 categories. And I indicated in them. Obviously ocean
24 zoning issues really cross boundaries between natural
25 and social sciences.

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1 CHAIRMAN HIXON: Literally and figuratively.
2 Okay. Other questions. Tony.

3 DR. CHATWIN: My question isn't to the
4 subcommittee report. So I --

5 CHAIRMAN HIXON: That's okay.

6 DR. CHATWIN: That's okay. Well, in the
7 previous meetings of the FAC, it has been -- we've had
8 opportunities to understand how, where our comments would
9 fit. Where they would fit in. Like now, fit into comments
10 to the Draft Framework. And same, this is the same here.

11

12 CHAIRMAN HIXON: Right.

13 DR. CHATWIN: Now, when faced with developing
14 a product for, let's say, the incentives piece in
15 Subcommittee 2 --

16 CHAIRMAN HIXON: Yes.

17 DR. CHATWIN: -- it would be useful to, for
18 me at least, to understand how the Center would be using
19 this and what sort of, what we can expect from these
20 products.

21 CHAIRMAN HIXON: Excellent question. Joe.

22 MR. URAVITCH: Yes. If you look at the three
23 topics of the subcommittees and the Charge they were
24 built around, this is really to help take us to that
25 next step. There's this assumption that we will get the

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1 Framework finished and final. We will identify the sites.

2 And there will be a National System with actual MPAs
3 in it. So what we're looking at are products that can
4 help us move things forward with implementation of the
5 system itself. You know what -- how do we approach things
6 in setting priorities for a region? We're starting to
7 get some of that already from some of the work from the
8 Ad Hoc Committees. Incentives for implementation
9 obviously that can help us think through budget initiatives
10 albeit long term, through the agencies. But also, other
11 ways of trying to push partnerships to move things forward.

12 And certainly the natural and social science. You know,
13 influencing what happens with the West Coast Pilot and
14 how that shaped, how we approached Gap Analysis, how
15 we apply science to the work we do. So we see this as
16 having very practical applications to defining the details
17 of where we go in the future, as well as, some of the
18 directions we go in the future.

19 DR. CHATWIN: I think, I think that's all
20 really encouraging. And I think, just from the
21 perspective of managing our expectations, I know that
22 I have welcomed the feedback that I have gotten from
23 seeing whether or not our recommendations were adopted
24 in documents that were produced by the Center as they
25 go on. And I'm not sure that's going to be the case --

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1 we won't be able to get that feedback necessarily from
2 now on. So it's just, it's more of a question of, how
3 do we prepare ourselves in relation to that issue of
4 feedback and actually seeing recommendations applied?

5 CHAIRMAN HIXON: Well it makes sense to me,
6 that since you're working with high level staff members
7 in each one of these subcommittees, it could be an ongoing
8 feedback process, since they're in touch with the MPA
9 Center. So that by the, by the end of the October meeting
10 when we've voted or agreed, by consensus, on each one
11 of these products, it's very clear to everyone where
12 they fit in and how they, how they benefit the process.
13 Okay. Yes. Sure.

14 Joe.

15 MR. URAVITCH: Yes. I would add to that,
16 a commitment on our part to tell you. I think as the
17 committee comes together, as we did with your
18 recommendations on the National System and the System
19 Framework, we came back at the next committee meeting
20 after that, and said, "This is what we took. This is
21 why. This is where there are some differences between
22 your recommendations and ours and why." And I'll
23 certainly commit us to doing the same for any of the
24 work the committee does.

25 CHAIRMAN HIXON: Okay. I would like to

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1 acknowledge Dan Bromley and note that he is on Subcommittee
2 3. When the original subcommittees were made, he was
3 Chair so he wasn't on the subcommittee. He's the new
4 mark on Subcommittee 3. And then Gil. Dan.

5 DR. BROMLEY: Thank you. And you're the new
6 Dan. Thank you. Well I understand the importance of
7 finishing some stuff. It would seem to me also very useful
8 that we, that we capture the talent that we have here
9 to talk about going forward. Next steps that people feel.
10 And maybe that would be useful to the MPA Center in
11 terms of thinking about who they might look for as nominees
12 to replace us, if you folks have that -- did I miss this?

13 CHAIRMAN HIXON: My understanding is that
14 the nominees have been --

15 DR. BROMLEY: It's already --

16 CHAIRMAN HIXON: -- submitted --

17 DR. BROMLEY: Okay.

18 CHAIRMAN HIXON: -- for approval. So that
19 process is done, unfortunately.

20 Gil.

21 MR. RADONSKI: Well I don't need to speak
22 because I was going to ask why Dan Bromley isn't on that
23 list. And you already answered that. And since we're
24 dealing with the same Subcommittee 3 and you are a member
25 of that, and it's a Chairman's prerogative to either

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1 participate in a subcommittee or not, as I understand
2 it --

3 CHAIRMAN HIXON: Yes.

4 MR. RADONSKI: -- are you going to continue
5 to participate? CHAIRMAN HIXON: My intention
6 is to, as dispassionately, objectively and fairly as
7 I'm able. I don't have a problem with, especially this
8 subcommittee, because all I'm doing is bringing peer
9 reviewed science to the discussion. And we are short
10 on biologist --

11 MR. RADONSKI: Yes.

12 CHAIRMAN HIXON: -- I believe. Yes.

13 MR. RADONSKI: Thank you.

14 CHAIRMAN HIXON: Yes. Thanks for, thanks
15 for asking Gil. Okay.

16 So what I'd like to do is split in to the
17 three subcommittees and really power away here til, til
18 4:15. You guys can break, as you need to, but we absolutely
19 have to meet at 4:15, if not sooner, if you get done,
20 to ensure that we get a report back from each subcommittee
21 and take care of final committee business which is a
22 number of things.

23 Some people will be leaving. Charlie has
24 to leave. Max is here until 4. Bob is leaving at 4.
25 So there's no more voting, but still important work to

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1 be done. Max.

2 MR. PETERSON: Could we come back at 3:30?

3 I'm concerned that both Bob and I will be gone at 4 o'clock.

4 CHAIRMAN HIXON: Sure. Okay. That's fine.

5 MR. PETERSON: So if we can come back at 3:30,,

6 that will help.

7 CHAIRMAN HIXON: You have over an hour at this point.

8 MR. PETERSON: Yes. That should be adequate.

9 CHAIRMAN HIXON: Okay. 3:30. Okay. So
10 Subcommittee 1, meets at this end of this table.
11 Subcommittee 2, the other end of this table. Subcommittee
12 3, goes to Room 515. The room we used this morning.
13 Thanks everyone.

14 Keep going. Charlie do you have a question?

15 PARTICIPANT: Where are we meeting?

16 CHAIRMAN HIXON: Oh, hold on, hold something
17 from Charlie.

18 MR. ZALES: On this end. You can keep your
19 seat Max. Yes.

20 PARTICIPANT: You can go all the way around
21 the corridor when you get--

22 CHAIRMAN HIXON: Okay. So, so you can still
23 get to 515, but you have to go all the way around.

24 DR. CHATWIN: Lauren, we're meeting over here,
25 right?

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1 MS. WENZEL: Yes.

2 (Whereupon, the foregoing matter went
3 off the record at 2:25 p.m. and went
4 back on the record at 3:41 p.m.)

5 CHAIRMAN HIXON: Okay. We have about 15
6 minutes per subcommittee available before we have to
7 gone on to the final business of this meeting. Everyone
8 please be seated.

9 So we'll right, we'll march right down the
10 line starting with Subcommittee 1, Identifying Regional
11 Priorities for Conservation. A report by Max and/or Bob
12 please.

13 MR. PETERSON: Okay. Let's get Jonathon up
14 here. Where's Jonathon? I'm not smart enough to run
15 the --

16 CHAIRMAN HIXON: He may have gotten locked
17 in the bathroom, actually.

18 MR. ZALES: He's going to need -- he'll
19 probably get locked in or out, I would imagine. The
20 bathroom's are locked.

21 PARTICIPANT: Is this it? Is this it?

22 MR. ZALES: That's it. Thank you very much.
23 You just use the buttons to scroll that -- I'll operate
24 the --

25 MR. PETERSON: Okay. Good. Who has the

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1 portable mic? Dan?

2 PARTICIPANT: No.

3 MR. PETERSON: Okay. This thing on?

4 DR. CHATWIN: No. There are two buttons you
5 have to turn on.

6 DR. CRUICKSHANK: At the bottom. A light
7 comes on.

8 MR. PETERSON: Okay. We took advantage that
9 we were in the front of the room and had access to the
10 computer.

11 CHAIRMAN HIXON: Let's have silence please,
12 so we can hear the speaker.

13 MR. PETERSON: And we put this, the head of
14 this is then is Marine Protected Areas, Federal Advisory
15 Committee. The Subcommittee 1 Report. Regional Approach
16 to Planning and Coordination.

17 And remember that we're developing
18 recommendations for enhancing regional MPA coordination,
19 cooperation, and establishing priorities for planning
20 and action. That's the purpose of this subcommittee.

21 I'm not going to read all of this. How many of you can
22 read it though? Somebody that can't read it?

23 PARTICIPANT: I can.

24 PARTICIPANT: I think we need to read it right
25 now.

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1 PARTICIPANT: Yes.

2 MR. ZALES: Is that better?

3 PARTICIPANT: Yes.

4 MR. PETERSON: Can you see it now? I'm not
5 going to read all this, but I just want to, what we did
6 first for, purposes of giving things to the regional
7 people, is to outline what the purpose of this whole
8 thing. It relates to the Executive Order that sets this
9 up. And we recite the 2005 Report. And so on. And then
10 we go on to the methods that we used. We used a case
11 study approach. As most of you knew, we went back and
12 each person selected some case studies of regional
13 cooperation that might be useful. And we're going to
14 list these case studies including a summary of the case
15 studies. They range all the way from the Great Barrier
16 Reef in Australia to National Trail System and so on.
17 So they're meant to give people a real feel for some
18 examples of regional -- they're not just theory. Okay.
19 So we're going to list the case studies and give a summary
20 of them.

21 And then we're -- here's what our findings
22 was. From a review of the case studies, regional
23 coordination was used for these things. This is what
24 regional coordination did. It helped broaden the
25 stakeholder involvement. It leveraged funding. It built

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1 a volunteer base. It allowed the placement of strategic
2 planning. And developed and helped develop actual plans
3 and priorities. And the schedule for implementing
4 projects and sharing information. This is what the
5 regional approaches could do.

6 And then we came up with common
7 characteristics of effective coordination. And I'm not
8 going to read all those. Let you read those. But these
9 are some of the common characteristics of effective
10 regional coordination found in the case studies. And
11 I guess one of the surprises in doing that, these are
12 fairly common in the case studies. Almost all of them
13 had, had gone through common interest, a clearly recognized
14 opportunities. Somebody took the initiative to do this.

15 They were willing to add interest group and stakeholders.
16 They were persistent in solving problems and overcoming
17 obstacles. These were common characteristics of these
18 regional approaches. So we put those down.

19 And finally, the final one on there is,
20 enhanced cooperation and research and education which
21 many hadn't thought about, as part of regional cooperation.

22 But it was one of those things that came about.

23 And then we, in addition to the following
24 case studies, as being important for quote "good
25 coordination," people mentioned things like websites

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1 that kept people up to date with what's happening. Good
2 maps to show what was happening. Regular meetings and
3 conference calls. Consistent staff to interact with
4 stakeholders. There needs to be some agreement on, maybe
5 just one or two people, but somebody has to keep the
6 process going. And somebody to negotiate, negotiation
7 and conflict resolution methods and processes. And
8 finally some willingness to improve capacity building
9 so that they can do things.

10 And then we came up with this fairly short
11 list of recommendations for managers and stakeholders
12 trying to work regionally. This is almost like a "how
13 to" kit, you know. What are the problems and opportunities
14 you see? What are the goals and objectives, you know?
15 And so we said if you're going to go through regional
16 cooperation here's some of the -- this is more process
17 orientated in terms of process for the bearing of challenges
18 and so on.

19 And then we suggested, out of all this, they
20 select the most appropriate type of coordination to meet
21 their goals and so on. In other words, develop the specific
22 plan for regional cooperation. And you see the five items.

23
24 And finally we have an appendix. And this
25 is all set up so it could be published as part of the

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1 next framework document. So that they would have an
2 approach to improving regional cooperation. So
3 Mr. Chairman that's our report. Bob, you want to add
4 anything there?

5 (No audible response.)

6 CHAIRMAN HIXON: Thank you, Max. So
7 clarification. Your intention is to flush this out in
8 to an actual document.

9 MR. PETERSON: Yes. I should point out that,
10 we're going to send this out to the whole subcommittees
11 because so many of the subcommittee are not here.

12 CHAIRMAN HIXON: Yes.

13 MR. PETERSON: We send out to all of them.
14 We get their comments. They come to the Jonathon. We'd
15 revise it. And then we would set up a time for a conference
16 call. And at that time, probably in late June, and then
17 we determine whether or not a meeting was needed.

18 CHAIRMAN HIXON: Okay.

19 MR. PETERSON: We're not automatically going
20 to jump in to a meeting if we don't need a meeting. But
21 we were concerned, if we don't get this out and get the
22 full subcommittee's review, we get together in October
23 with half the subcommittee not here, we would have a
24 big long discussion to even get understanding of this.
25 So we're going to get it out in the meantime. Okay?

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1 CHAIRMAN HIXON: Okay. But it will be, it
2 will be an actual paper.

3 MR. PETERSON: Oh, yes.

4 CHAIRMAN HIXON: It will be a written paper.

5 MR. PETERSON: Yes. Yes.

6 CHAIRMAN HIXON: Okay. Great. Thank you.
7 Comments, question, discussion. Ellen.

8 MS. GOETHEL: I apologize, this may be
9 something that I didn't hear, if we were going to get,
10 the staff was going to get copies of the draft --

11 MR. ZALES: Yes. Well, what we're going to
12 do, we're going to send this to the committee people.

13 And we've got, we've got a schedule that we're going
14 to try to have everything pretty well weeded out, sometime
15 in June. And have a conference call amongst ourselves.

16 And, and if, if that's good enough, fine. If not, we
17 understand if there could be the possibility of a physical
18 meeting. And, and if, if from that point, once that's
19 done, then we will send out to the full committee, prior
20 to the October thing, in plenty of time to get feedback
21 by October.

22 MS. GOETHEL: I wanted to make sure we could
23 get it before then, so that we could put the act on it,
24 when we got here in October.

25 MR. ZALES: That's our, that's our intention.

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1 CHAIRMAN HIXON: Okay. So my understanding
2 then is that, the product from the subcommittee will
3 be made available to the FAC, before the October meeting.

4 And if all goes in the past, many members will not read
5 it until the actual meeting. But at that meeting, I'll
6 be pushing everyone to do so. At that meeting, we'll
7 vote on the document for passing forward.

8 MR. PETERSON: Thank you.

9 CHAIRMAN HIXON: Great. Thank you much.
10 Okay. Subcommittee 2, incentives, Incentives for an
11 Effective National System of MPAs. Implementation has
12 been dropped. Tony. Report.

13 DR. CHATWIN: Thank you, Mark. I'd like to
14 thank the members of the subcommittee because I think
15 we did some great work today. We first discussed the
16 product itself. What it, what it should be or could be.

17 We haven't come to conclusion on that, but we recognized
18 that whatever it is, we want to have clear recommendations.

19 And that we need to develop a structure for that product
20 because there are multi-dimensions to, to incentives.

21 And so there are, you know, the ones who would benefit
22 from incentives. There are the type of things you want
23 to make incentives for. For example, entrance in to the
24 system and then strengthening the system itself. And
25 let me see, and there is -- well that's already three

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1 dimensions. That we need to somehow organize in to a
2 coherent structure for the product.

3 We, we then developed a work plan that has
4 clearly identifies various phases. And we worked back
5 from the next FAC meeting and developed a proposed time
6 line which we will share to the full subcommittee shortly
7 after this meeting.

8 And the phases are, one is information, the
9 first one is information gathering and developing the
10 proposed structure for the product. And the information
11 that we will be looking at is, in the discussion, it
12 became really clear that there is a lot of information
13 that exists already, that has been gathered from a needs
14 assessment for the National System of MPAs. That it --
15 there are comments to the Draft Framework Document. And
16 looking -- and others. And also documents that we
17 developed as a subcommittee already. And looking through
18 all of those with the lens of, what are the incentives?
19 What are people looking for in their comments?

20 And we will then, once we have the proposed
21 structure and the information sort of gathered and somewhat
22 analyzed, we will come together as a subcommittee, probably
23 over the phone, to begin the next phase which is drafting
24 the, the first draft of the product. What's really
25 interesting is that -- and that, once the first draft

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1 is ready, it may be an appropriate time to come together
2 in person. And that it, right now is just a proposal.

3 But we have identified times at which this would be most
4 appropriate. Or at least that we will propose to the
5 full subcommittee.

6 CHAIRMAN HIXON: Okay.

7 DR. CHATWIN: And the idea of that meeting
8 would be to finalize the draft. And we would then take
9 the opportunity ,we want to do this around, I think,
10 in late August. And then we want to send this document
11 out to do some ground- truthing. So potential interested
12 parties in the National System, and get some feedback
13 whether we're capturing the sort of incentives that they
14 may have commented on, just to get some, some feedback
15 before we come to the FAC. Because we don't want to develop
16 this independent of reality if we can avoid it. And so
17 we've put in like a reality, a feedback phase which would
18 be a couple of weeks. We would then take what we got
19 and make some small adjustments. And -- or adjustments.
20 And, and then send it to the FAC, as a whole, as the
21 document that we would be looking to get final comments
22 and final adjustments to, before we vote.

23 CHAIRMAN HIXON: Okay. Thank you very much.

24 DR. CHATWIN: And the time line is there on
25 that.

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1 CHAIRMAN HIXON: At what point, at
2 approximately what date are you intending to send the
3 final product to the full FAC? I'm just curious.

4 DR. CHATWIN: On October 15th.

5 CHAIRMAN HIXON: Okay. So about a week
6 beforehand. Okay. That's decent.

7 PARTICIPANT: It was either a week before
8 or the day before. We couldn't decide which.

9 CHAIRMAN HIXON: Okay.

10 DR. CHATWIN: A week before.

11 CHAIRMAN HIXON: A week before would be good.
12 Because there are some people responsible enough to
13 actually do their homework.

14 Max.

15 MR. PETERSON: I guess the question is, if
16 this is going to go out to regional cooperators, where
17 a lot, other members of the FAC are likely to question
18 some of that groups, in saying, "What is this?" And so
19 on. So what seems to me like it ought to go to the full
20 FAC at the same time it goes external. Okay.

21 CHAIRMAN HIXON: That makes sense.

22 DR. CHATWIN: Absolutely.

23 CHAIRMAN HIXON: You got that. Okay.

24 DR. CHATWIN: Yes. We can do that. No
25 problem.

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1 CHAIRMAN HIXON: Other feedback, questions,
2 discussion.

3 (No audible response.)

4 Great. Thank you both. Okay.

5 Subcommittee 3, Natural and Social Science of MPAs. Dr.
6 Murray.

7 DR. MURRAY: Okay. This, this subcommittee
8 Ellen and I are Co-Chairs of it. I'm going to go ahead
9 and give a recap of what we decided we'd like to do.
10 First, we identified six possible contributions that
11 we could make. Those included the following. One would
12 be working to make operational, some of the Subcommittee
13 C recommendations for prioritizing the different kinds
14 of MPAs. The second was dealing with the monitoring issue
15 in how Integrated Ocean Observing Systems might interact
16 with a monitoring effort. The third was dealing with
17 Site Management Plans and what should be in them. The
18 fourth was differentiating among the broad category of
19 conservation areas in terms of what they do and don't
20 do. A fifth was to look at ways to take existing
21 governmental databases, particularly, the United States
22 Navy databases. And establish partnerships with MPA
23 efforts. And the sixth was to address issues of spatial
24 planning and ocean zoning.

25 And of those six, we elected to make progress

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1 on four of those six. And the first would not result
2 in a product, but would be to bring forward for full
3 subcommittee, subcommittee consideration a work plan
4 for proceeding beyond the October meeting for spatial
5 planning/ocean zoning.

6 And John Ogden will be given responsibility
7 for that. John, do you object? I didn't hear John object.

8 But actually, I spoke to John before this meeting because
9 the ocean zoning was an issue that we were already planning
10 to work on, in Oregon. And John, I know, has some things
11 to contribute and would be contributing those if he was
12 here. So John didn't object and I don't think he will.

13 So the idea there is to have in place a work plan to
14 go beyond October on that topic.

15 A second product is based on a assumption.

16 And the assumption, we had a number of people in our
17 group indicate that it would be very informative to hear
18 from maybe a panel of folks who were involved in the
19 Integrated Ocean Observing System effort. And if that
20 is the case, if there are folks to make presentations
21 on that at Thunder Bay, then we would develop a set of
22 questions that would look at the interface between MPA
23 efforts and integration, Integrated Ocean System,
24 Observing System Information.

25 How can we bring those together? How can

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1 we facilitate MPA efforts either to design and implement
2 or to evaluate what kind of information might be informative,
3 what might not? And the idea would be this list of questions
4 that we would work on, would facilitate dialogue on that
5 that would follow a panel presentation. Now, if there's
6 no panel presentation, then I think that product would
7 go away. The --

8 CHAIRMAN HIXON: Steve.

9 DR. MURRAY: Yes.

10 CHAIRMAN HIXON: Another thing I heard about
11 that particular meeting or panel is this would not be
12 an IOOS road show advertisement. This would actually
13 be people involved in that system literally addressing
14 --

15 DR. MURRAY: Right.

16 CHAIRMAN HIXON: -- how that system would,
17 could integrate with the MPA system.

18 DR. MURRAY: Yes. I think, I think that's
19 what we would like. We would like to start to get down
20 to the nitty gritty of how the information gets put in
21 and used, in our particular process of interest. Okay.

22
23 Then the, we have two additional products
24 that we, we would be looking at. And by the way, I guess
25 I'm taking the leadership on trying to organize the

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1 questions or however that would work. And we'll be looking
2 for some others to help. And Brian we'd like your
3 suggestions on that as well. Okay.

4 Then the third would be the Site Management
5 Plan issue. And Dan Bromley and a subgroup within our
6 subcommittee will be looking at this. And this, we would
7 be envisioning, resulting in a product, a written product,
8 similar to our subcommittees contribution on Ecosystem
9 Based Management. That is size and magnitude of the
10 product would, would be analogous to that.

11 And obviously we know that Site Management
12 Plans are listed in the Framework and had been listed
13 in our discussions, as necessary. So what should the
14 key elements of that Site Management Plan be? And we
15 think that we can make a contribution there by putting
16 on the table a list of elements that should be present
17 in a Site Management Plan. And those elements would
18 obviously address outputs and accomplishments. But it's
19 a nice melding of the natural and social sciences which
20 is part of our committee, in terms of how that, how we
21 would inform those elements. So we would anticipate having
22 a paper product present on the table for discussion,
23 that would be our group's output on that effort.

24 Then the fourth addresses the issue of how
25 we might operationalize the various kinds of prioritized,

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1 prioritization categories that appeared in the
2 Subcommittee C efforts. We see this as a brainstorming
3 effort that would result in discussion at the Thunder
4 Bay meeting. And therefore would like an agenda time
5 for that discussion. But we are not looking at producing
6 a paper product that we would vote on and approve. We're
7 going to, we're going to try to take and put our heads
8 together and come up with some good dialogue and guided
9 dialogue about where we might go, with regard to making
10 operational, some of those categorizations and
11 prioritizations which is something the MPA Center folks
12 are going to have to address. Ellen has taken leadership
13 of that.

14 So four efforts. A planning effort on the
15 part of ocean zoning that John Ogden leads. Questions
16 and to facilitate dialogue and discussion on Integrated
17 Ocean Observing Systems and how they relate to monitoring,
18 designing, and implementing MPAs. Site Management Plans
19 and what they should be in terms of elements. A work
20 product, a paper brought forward. And the operational,
21 operational efforts with regard to Subcommittee C
22 recommendations which would be a discussion dialogue.

23
24 We have decided that we would be working
25 on these in the interim between now and the Thunder Bay

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1 meeting. But that we agreed that we would come to Thunder
2 Bay early. Friday or Saturday being the travel day.
3 And would work Sunday/Monday, to essentially fine tune
4 and finalize the efforts that would be going on in the
5 interim. And we would have them fresh and ready to go.

6 I think with our work product, our paper on site management
7 and necessary elements, it would probably be appropriate
8 to submit a draft of that around, prior to our trying
9 to come together and finalize that. But Dan is a leader
10 on that. And you can guide and direct that. And we'll
11 see where we get. But it might be good to give people
12 an idea of where we are so we can get some feedback on
13 that. That is our plan.

14 CHAIRMAN HIXON: Thank you, Steve. Bob
15 Zales.

16 MR. ZALES: A couple of things. On the ocean
17 observation thing, I'm very interested in that. So I'm
18 most definitely, and I don't know if staff will play
19 with this or not, but I'd like to see a presentation
20 on that, on where it is and what the potential is. Because
21 I see a lot of potential in what I've read about it.
22 Basically what it can do. Because I see with MPAs and
23 many other things, monitoring. Enforcement, to me, is
24 a critical thing. Surely with that kind of technology
25 you could have enhanced enforcement on some of these

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1 things. And another thing, on the Navy part of that,
2 when you're talking about them sharing a database, are
3 they sharing some kind of -- what are they actually sharing
4 for the MPA type thing?

5 DR. MURRAY: The general conversation was
6 that, can we find ways to create partnerships, that don't
7 exist at the moment or don't exist well at the moment,
8 that would allow efforts that the MPA Center and the
9 MPA planning would and regional efforts, where information
10 availability and access and use could be more facile?

11 And we only threw out the Navy as an example of the
12 discussions that went on. So there's no, no saying that,
13 we're not saying that yes, you know, we're going to come
14 forward and say we want the Navy or any other group to
15 make available this or that information. The point was,
16 we talked about how we might create partnerships to move
17 forward and the Navy was simply an example.

18 MR. ZALES: And I think that's good because
19 I know in dealing with artificial reefs and what not,
20 that in some cases, especially off of Florida, where
21 you have sub bases that they have areas that they generally
22 travel that they don't want anything in their wake. And
23 the other thing is, in the zoning committee, I'm assuming
24 then that since you're talking about John Ogden doing
25 something here, you're not going to finalize anything

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1 in October. That you all intend to kind of keep
2 Subcommittee 3 together for the future or you're going
3 to change membership like we did the last time when we
4 finished the papers or what's the thought behind that?

5 DR. MURRAY: Well that that's, Mark and, I
6 guess, the group can decide that. But, you know, obviously,
7 half of the people, including myself, would be no longer
8 on this group, on this committee. So there will
9 necessarily be a lot changes in who and is involved in
10 what subcommittee.

11 CHAIRMAN HIXON: Yes. Just for
12 clarification, the idea was that, that some of the products
13 of the subcommittee will be completed in October. And
14 others will be initiated and handed off to the next
15 iteration of the appropriate committee.

16 One other clarification point. The idea
17 about the Naval database came from Robin Brake, our Navy
18 liaison, who's keen to foster these types of partnerships.
19 And that includes not only existing databases but also
20 some fairly amazing technology that we may or may not
21 be able to use without being killed afterwards. Okay.

22

23 Gil.

24 MR. RADONSKI: I think those covered, by your
25 comments.

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1 CHAIRMAN HIXON: Okay. Thank you. Wally.

2 MR. PEREYA: Yes. I -- Steve, I was wondering
3 what do you think about in terms of ocean zoning because
4 my understanding of ocean zoning, I might have some concerns
5 as to whether that really falls in the purview of what
6 we're doing here. So I'd be interested in hearing.

7 DR. MURRAY: Well in Oregon we had a
8 presentation by Gail Osherenko. And we had a good
9 discussion on where spatial planning was going. And MPAs
10 are spatial and part of the spatial planning in the ocean.

11 Some folks are moving that along in to additional types
12 of zoning for activities and use. And so where this goes,
13 is hard to say at this point, in terms of how it relates
14 here. But we have had this on the table and have discussed
15 it off and on, I think, at two of the last three meetings.

16 And our group had identified and reported back to you
17 all in Oregon that this was one the two areas that we
18 were going to attempt to look at making progress on.
19 So I think what we're saying is that, the, the -- what
20 we would see happening in October would be a plan being
21 presented to our subcommittee which would then be brought
22 to the larger group. Which would be okay. Here's what
23 we think a contribution could be in ocean zoning as it
24 applies. That would be up for discussion. Added, deleted,
25 eliminated, at that point in time. But no, no decisions,

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1 no product, no nothing to vote on in October.

2 MR. PEREYA: Unfortunately, I missed the
3 Newport Meeting, I missed the meeting, but I can wait
4 until I see a product. We can talk about it then.

5 DR. MURRAY: Just one more point to make.
6 You know John has been working with a NCEAS group that
7 has been addressing ocean zoning. And so there's a lot
8 of discussion going on there. MPAs are part of the
9 discussion process that's taken place there. So I think
10 that we will at least have some information that will
11 be of value with regard to how those things come together
12 or don't.

13 CHAIRMAN HIXON: Okay. Thank you. Other
14 questions. Oh, Tony and then Max.

15 DR. CHATWIN: Thank you. Thank you Steve,
16 for the report. This is the Natural and Social Sciences
17 Subcommittee. Correct?

18 CHAIRMAN HIXON: That's correct.

19 DR. CHATWIN: And maybe it's in these four
20 areas of work, but one of the things I hear that's missing
21 a lot, in relation to Marine Protected Areas, is a strong
22 focus on the social sciences. You know, social indicators,
23 how to approach this issue. And I don't know if that's
24 covered in ocean zoning, but it's something that I think
25 we, this body could provide some really good

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1 recommendations on. And I would, I would encourage
2 Subcommittee 3 to give some consideration on what sort
3 of guidance it could give to the MPA Center about the
4 social sciences aspect of Marine Protected Areas.

5 CHAIRMAN HIXON: Actually that was discussed
6 at length. And it turns out that, the three of those
7 four products involve social sciences very directly.
8 The only one that doesn't is the IOOS system. A purely
9 natural science. So, Dan has taken the lead on one of
10 those four products. And Bonnie and John Halsey will
11 be involved throughout. So it's, there's a lot of natural,
12 social science involved in those products.

13 Max.

14 MR. PETERSON: Thank you Steve. It just
15 struck me that this is a hugely ambitious undertaking
16 that you're -- and I wonder what, you mentioned that
17 you were going to look at the report of the three Ad
18 Hoc Committees C1, C2, and C3. And since those
19 recommendations have been adopted by the FAC, I wondered
20 what you -- were you talking about how social sciences
21 could make a contribution to those or what were you thinking
22 about?

23 DR. MURRAY: You know, I think, I think what
24 I should do, at this point, is I should ask Charlie to
25 make a comment on that. Because I think the issue at

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1 hand is, okay, we we did this. We just passed this.
2 We made this recommendation that relates to the
3 prioritization, and the objectives, and so on, for each
4 of the different kinds of MPAs. So how does that translate
5 in to MPA Center use and action and operation? That's,
6 that's the issue. And it's, I don't know that it's entirely,
7 it's not entirely a social science issue, as I see it.
8 It's a combined social and natural science issue. But
9 Charlie you should qualify what I just.

10 DR. WAHLE: Okay. Max, would you mind
11 restating the question? I was doing something else.

12 MR. PETERSON: Charlie there was a reference
13 that this group was going to re-look at C1, C2, and C3
14 which we adopted today. And I wasn't sure what they were
15 going to do with it. Whether they were going to look
16 at what kind of social science implications or -- I was
17 thinking social sciences more had to do with, how do
18 you evaluate the impact on different kinds of people,
19 establish an MPA? That's a traditional use of social
20 science. So I didn't really understand what he meant
21 by revisiting C1, C2, and C3.

22 DR. MURRAY: Let me say something and then
23 Charlie can take it over. We didn't say we were going
24 to revisit. What we said we were going to do was to assist
25 the MPA Center in a dialogue about how to make operational,

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1 the products of C1, C2, and C3. But Charlie should --

2 MR. PETERSON: I don't see that as a social
3 science question. I see that as a, I see that as a challenge
4 for the MPA staff.

5 DR. WAHLE: Yes. We do too. That's why we're
6 looking to you for help. But I'm not quite sure how the
7 social science suggestion got linked to this, but it
8 really isn't, at least not directly. What this product
9 is intended to do is, build on the good work of C1 through
10 3. And take it a couple of steps further with the eye
11 of, okay now we've got priorities. They're good ones.

12 What should we, how do we work with that information?

13 How -- when you have a box that says reproduction areas
14 or something, then what? And there are criteria one can
15 imagine for how you identify such places and how you
16 prioritize among them.

17 So it's basically what these groups would
18 have done if we had another couple of days together.
19 And we would benefit from your advice on that. And so
20 we're envisioning a sort of a quick brainstorming piece
21 on it. So really isn't connected to the social science
22 question.

23 MR. PETERSON: That's my feeling.

24 CHAIRMAN HIXON: Ellen.

25 MS. GOETHEL: I just wanted to reiterate that, what

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1 we're going to do is come up with questions to help the
2 FAC centralize their ideas on how to do this. It's a
3 brainstorming session that we're going to come up with
4 the questions. And a lot, most of the, a lot of the questions
5 are social science questions and biological science,
6 natural science questions to help, to have the rest of
7 the FAC discuss it. So what we're doing is, we're just
8 coming up with the questions from our side. Bringing
9 it to the FAC will have -- beyond the agenda. And the
10 entire FAC will brainstorm to try and help the Center
11 come up with ideas on how to operationalize the original
12 things that we came up with today.

13 CHAIRMAN HIXON: That answer your question,
14 Max?

15 MR. PETERSON: I still don't see that as a
16 product that we're looking for from the social scientist
17 group. I thought they would give us a product, what are
18 the social -- how do we apply social sciences to the
19 question of whether we should establish an MPA? In other
20 words, how do we look at its impact on different kinds
21 of people. There are techniques for doing that. And
22 I thought maybe they would produce a paper on that, that
23 would say how do you look at the impacts on different
24 kind of people if you're thinking about establishing
25 MPA?

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1 I wasn't thinking they would tell the MPA
2 staff how to implement the recommendation of other
3 subcommittees.

4 MS. GOETHEL: That's not what we're going
5 to do.

6 MR. PETERSON: That's what I heard.

7 MS. GOETHEL: No. What we're going to do
8 is, there are questions that have not been answered by
9 all the committees on all of your, all of our suggestions.
10 And probably most of those questions have to do with
11 natural science or social science.

12 MR. PETERSON: They all have to do with one
13 or the other.

14 MS. GOETHEL: Right. So what we're doing
15 is we're going to ask the questions, put them on a board,
16 and then everyone here, on the committee together, will
17 be able to look at it and decide. So what we're not,
18 we're not coming up with, we're not dealing you what
19 to do. We're just coming up with the questions that the
20 Center needs answered, from us, as a whole group. But
21 since most of those questions are social and natural
22 science, it was thought that we could come up with them
23 more clearly than the rest of the group would.

24 MR. PETERSON: There ain't no sciences other
25 than social and natural.

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1 MS. GOETHEL: Right. And that's our, that's
2 our committee.

3 CHAIRMAN HIXON: Gil and Steve.

4 MR. RADONSKI: I think the question that Max
5 is raising is legitimate. And there has been quite a
6 bit of social study done. There is a whole group in the
7 MPA Center that deals with social science issues. Correct?

8 CHAIRMAN HIXON: They still exist?

9 MR. RADONSKI: Yes.

10 CHAIRMAN HIXON: Okay.

11 MR. RADONSKI: Yes. And they --

12 PARTICIPANT: Not anymore.

13 MR. RADONSKI: -- they have done surveys.

14

15 PARTICIPANT: They got one.

16 MR. RADONSKI: They've done regional things.

17 In fact, there was a social science survey in each of
18 the, in three different regions. Is that correct? Four.

19 So, but what Max, what I think Max is raising is legitimate.

20 We need to pay more attention to the social sciences.

21 And, you know, although the sun is setting on this FAC,
22 there's going to be another FAC. And I think this may

23 be one of the key issues they want to look at in the

24 future. So it isn't that we're not interested in it.

25 We just can't get everything done. And I think, even

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1 Max said, what our subcommittee is proposing is very
2 ambitious. What we're, all these things we mentioned,
3 four of them, we are going to do them. We're going to
4 have a, have some sort of product. It may not be a white
5 paper, definitive white paper on the issue, but we will
6 have a product for each of them.

7 CHAIRMAN HIXON: Thank you, Gil. Steve.

8 DR. MURRAY: Well this is a matter of making a
9 decision which our subcommittee did, about how we should
10 spend our time. And the product, or Max the topic, you
11 just pointed out could have been on the table. It could
12 have been one of the ones we discussed. We didn't happen
13 to identify that among us, as one of the things that
14 we should, at this point in time, spend our time on.

15 I want to, I think it needs to be, let me
16 let me try to make this as clear as I can, with regard
17 to how, how we saw this or see this. We spent some time
18 today making recommendations on, from the three C
19 Subcommittees about what objectives should be for each
20 of the different kinds of Marine Protected Areas. And
21 we attempted to prioritize those objectives. And we
22 attempted to put them in to phases.

23 So when we asked the MPA Center folks, so
24 what kinds of work could we do that would best assist
25 you? We were informed that well, you know, we need to

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1 make those operational. And so having some dialogue and
2 discussion with natural science and social science input
3 would be a benefit.

4 Therefore, we included that in a work product
5 that we would engender with the idea that we would have
6 those discussions and those, the brainstorming on that.

7 That would not result in a written document that would
8 be brought forward in October for approval. But the fruits
9 of our discussion, we would share with the whole group,
10 to enlarge the dialogue. And I think that is what, what
11 we're targeting to do.

12 So, you know, we could have just said well
13 we're not going to do that. And as you pointed out, we
14 have a fairly ambitious schedule anyway. But I think
15 that we are looking at bringing a document forward on
16 site management plans and what the necessary elements
17 would be. And that makes very good use of the social
18 science and natural science expertise on the group. And
19 I think that will be something that would be before you.
20

21 And with regard to the ocean zoning/ spatial
22 planning, essentially the development of a plan to move
23 forward, also is one that involves social and natural
24 sciences. The Integrated Ocean Observing System is an
25 interesting product, in the sense that, what we think

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1 we'd like to do is to stimulate discussion on how that
2 system and what is going on there, can be of use in MPA
3 planning and evaluation.

4 And if you look at the group, as a whole
5 and the expertise that's represented, you know, for example,
6 we've come up a little short as opposed to people who
7 have oceanography expertise. Physical oceanographers
8 or other sorts who might be very much involved in Integrated
9 Ocean Observing Systems and how they relate to connectivity
10 and other issues that do play very heavily in MPA issues.

11 So we have something to learn there, and we would hope
12 to do that by having that dialogue.

13 CHAIRMAN HIXON: Max.

14 MR. PETERSON: I've raised my question. It's
15 been discussed. I'm ready to move on. They, they --
16 I think they'll find they've taken on a whole lot more
17 than they can accomplish effectively, but that's okay.

18 CHAIRMAN HIXON: All right. Thank you.
19 Other discussions.

20 (No audible response.)

21 Okay. Each subcommittee knows what it must
22 do. I beseech the Chairs and Co-Chairs of each
23 subcommittee to move things forward actively between
24 now and October and stay on it. And really assume that
25 leadership role, please. Okay.

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1 We're entering the final phase of this meeting.

2 We have before use, so far, three items of business to
3 complete this meeting. The issue of reimbursements I'll
4 ask Lauren for some details about that. There's been
5 also some issues regarding logistics that it be good
6 to discuss some of these now. And discussion of our of
7 our next meeting. And I'm glad John's here as sort of
8 defacto local host.

9 But first I believe Gil has a motion he'd
10 like to raise.

11 MR. RADONSKI: Yes. You led in to it, Mark,
12 talking about logistics and getting paid. As we know,
13 during our first couple or three years of existence we
14 did have a full time staff member, so to speak, attending
15 meetings and helping us with all these things. And that
16 was Darinda Bunny Sparks. And as we all know she has,
17 she's no longer in that position. And I thought it
18 appropriate to have a sense of thanks, from the FAC,
19 to Bunny for her hard work. And what I would propose
20 is that, the Chairman send a letter to her expressing
21 the thanks of the full committee for her contributions
22 to our efforts.

23 DR. CHATWIN: Second. If it's a motion --

24 CHAIRMAN HIXON: Okay. All in favor.

25 (Chorus of ayes.)

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1 Great. Thanks, thank you, Gil. I will do
2 so. Would you like to participate in writing the letter?

3 MR. RADONSKI: I've already sent Bunny a
4 letter of thanks. I, you know, I think just, I don't
5 think it has to be flowery or long. She just wants to
6 hear that we appreciate her hard work.

7 CHAIRMAN HIXON: I already sent her a note
8 of thanks as well. But I will send an official letter
9 of thanks on behalf of the entire committee.

10 MR. RADONSKI: Thank you.

11 PARTICIPANT: Is that still at the same email
12 address?

13 PARTICIPANT: I have her private email
14 address.

15 CHAIRMAN HIXON: Okay. So I will do so.
16 Thank you so much. That's a great idea. Okay.

17 So regarding reimbursements. All I know
18 right now and I'm going to ask Lauren to elaborate is,
19 each of us has an addressed manila envelope in our folders
20 which is, which we are to use to send in our reimbursement
21 request. There is a form, a pdf form that's been around
22 for some time for doing that. The one I have has Bunny's
23 name and address on it. And that's all I know. I'm going
24 to turn it over.

25 And then I'd like to have a brief discussion

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1 with actual questions and feedback from the committee
2 regarding logistic constraints, logistic difficulties
3 they've faced. Because these are issues that must be
4 addressed. Thanks.

5 MS. WENZEL: Okay. I think, I think, you
6 know, all of you have traveled with the FAC before and
7 know the general drill. I think the only thing that is
8 different is that we're not sending these things in to
9 Bunny. So you have the manila envelope so that you can
10 send your expenses in to Deborah Jefferson who is the
11 person who assisted with the travel on the way here.

12 And I guess, I would just mention that we
13 are looking for a Program Assistant who can cover a
14 multitude of roles. No one can replace Bunny, I think.

15 And so we hope to have someone more permanent. This,
16 the person who is helping us now, Deborah Jefferson,
17 actually works full time for another program. And is
18 being shared with us. So it's been difficult, I think,
19 to work some of these things out. But we hope to have
20 someone who can devote more time to this and be a familiar
21 and constant face for the committee on these issues.

22 CHAIRMAN HIXON: Is the intention to have
23 a person soon, well before the October meeting? Or --

24 MS. WENZEL: Yes.

25 CHAIRMAN HIXON: Okay. Okay. A number of

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1 people have spoken with me regarding logistic problems
2 they've faced in travel. And it's just good to get these
3 out on the table. So there's a list of what's going on.

4 For example, something happened with the travel orders
5 this particular meeting. I don't think anyone received
6 their travel orders.

7 PARTICIPANT: I did.

8 CHAIRMAN HIXON: Okay. Some people received
9 them and some people didn't. And when I showed up at
10 the airport my ticket hadn't been purchased. So it took
11 a flurry of phone calls to get me on the plane. And I
12 understand. I just, in hindsight that Bonnie had that
13 problem at the last meeting. So are there other issues
14 regarding this? Ellen.

15 MS. GOETHEL: That, that happened to me.

16 CHAIRMAN HIXON: What in particular happened to
17 you?

18 MS. GOETHEL: I -- the ticket hadn't been
19 purchased, all three times that I've traveled. The only
20 reason I didn't have a problem at the airport is because
21 I called -- and I learned. I called the airline to give
22 them my frequent flier number and they told me that it
23 hadn't been purchased. So that was the first time. The
24 second time I called to do the same thing just to make
25 sure. Same thing had happened. So it took a flurry of

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1 calls from SATO to Bunny the first two times. And then
2 this last, this trip, same thing. It took a flurry of
3 calls back and forth to get the travel orders. I have
4 --

5 CHAIRMAN HIXON: Okay.

6 MS. GOETHEL: But we had to --

7 CHAIRMAN HIXON: Joe and then Dan.

8 MR. URAVITCH: The vagaries of how SATO works
9 and how we get things done. I think what's really critical
10 is that we do this earlier rather than later.

11 MS. GOETHEL: I did.

12 MR. URAVITCH: I know, but just please bare
13 with me a second. What we've had are a lot of people
14 changing things at the last minute. And so SATO will
15 not process something until we give them the travel order
16 and everything else. So we can commit to try in getting
17 things to you, on getting these things approved earlier,
18 but please hold your last minute changes to a minimum.
19 Because that means they have to de-issue the ticket,
20 reissue the ticket. And just so, you know, I understand
21 there are real problems that you've had. And the only
22 way we can solve those is to make sure these things get
23 approved earlier rather than later. But that means a
24 commitment on the part of the committee members to not
25 change things.

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1 CHAIRMAN HIXON: Good information. Thanks.

2 MS. WENZEL: And I will confirm this, but
3 my I understanding is that there's a problem with
4 communication between the SATO offices in Silver Spring
5 and in Texas or other parts of the country where people
6 make their reservations. And so I think, in the future,
7 what we're going to do is ask everyone to call Silver
8 Spring and make your reservations. Because they are in
9 constant communication with our office and the other
10 SATO offices are not. So.

11 CHAIRMAN HIXON: That's great. That helps
12 a lot. Dan.

13 DR. SUMAN: You know, I just had the same
14 problem numerous times. Just don't give us the 800 number.

15
16 MS. WENZEL: Right.

17 DR. SUMAN: Give us the 301.

18 MS. WENZEL: Right. Right.

19 CHAIRMAN HIXON: That's great. Great.
20 Steve.

21 DR. MURRAY: So we're looking at problems.
22 You know, Lauren knows this and she corrected it. But
23 when I called in to make my reservation at the Holiday
24 Inn, they would not allow me to stay tonight, which was
25 in your original instructions that we could, and which

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1 I did. And so I had to actually make a second reservation
2 to stay another night. That's been wiped out and I
3 cancelled it.

4 One more point I'd like to make is that,
5 I know when the October meeting comes is that I'm going
6 to have to fly from the meeting location to another place
7 not my point of origin. And I know from my previous
8 experience with doing this on another advisory committee
9 that that is messy. So I need help on that so I don't
10 get lost.

11 CHAIRMAN HIXON: All right. Other issues.

12 MR. RADONSKI: How long does it take to get
13 reimbursed? That -- some of us wait very long periods
14 of time. In fact, if you don't sort of hound them, you
15 don't, they don't they don't process it. Does anybody
16 else have that problem?

17 CHAIRMAN HIXON: I've encountered highly
18 variable times, is what I've encountered. But do you
19 want to answer that?

20 MS. WENZEL: I don't have a number. My
21 experience is highly variable as well. I guess what I
22 can tell you is that, you know, if you get them in promptly,
23 we will process them promptly on our end. And if you,
24 you know, go for awhile and you don't hear anything,
25 then please be in touch. And Joe is now the business

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1 and management director for OCRN and is responsible for
2 making sure that all these processes work flawlessly.

3 CHAIRMAN HIXON: One of the things I'm trying
4 to put out here. We're not trying to grill you people.
5 But it's good to get this stuff clarified. Right.

6 MR. URAVITCH: It's going to be a little more
7 costly for us, but I think one solution on that is for
8 us to get your things, your travel information FedEx'd
9 back to us. Because if you go through the mail, it hits
10 the mail room, and that can take sometimes three weeks
11 to process as a result of the anthrax scare and all this
12 other stuff. Any federal, any federal agency now their
13 mail room is under these weird controls. And, you know,
14 they get xeroxed, and photographed, and everything else.
15 So you can add two to three weeks to your time before
16 you mail something and we actually physically see it.

17
18 PARTICIPANT: So FedEx goes faster? It
19 doesn't --

20 PARTICIPANT: Oh yes. Oh yes.

21 MS. WENZEL: Or you can fax us.

22 MR. URAVITCH: Or you can fax us the
23 information, I think. Well we'll look in to that. We'll
24 look into that as an option. FedEx happens faster because
25 it comes directly to us. It doesn't go through the mail

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1 room.

2 CHAIRMAN HIXON: Okay. Great. Wally.

3 MR. PEREYA: Yes. After hearing the FedEx
4 I had a thought, but I don't want to mention it in public,
5 what you put in the FedEx container. But my experience
6 with SATO is, is been better when I assumed that the
7 worst would happen. And I hoped for the best. And just
8 stayed persistent. And it, you know, it gets done. But
9 you can not assume anything. You can not assume anything.

10 CHAIRMAN HIXON: This is great. This has
11 disintegrated in to a bitch section. I love it. Go Max.

12 MR. PETERSON: I have a very simple -- can
13 you simply email to us the pdf form --

14 MS. WENZEL: Yes.

15 MR. PETERSON: -- up to date pdf form?

16 CHAIRMAN HIXON: That would help. Yes. An updated
17 pdf form.

18 MR. PETERSON: That would be helpful because
19 I think the one I have says, I think, I used and I think
20 it had Bunny Parks name on it.

21 CHAIRMAN HIXON: Yes. Exactly. Great.

22 Thanks.

23 MR. PETERSON: I don't think I got a blank
24 one left.

25 CHAIRMAN HIXON: Okay. Can we leave this

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1 and finish up the meeting? Okay. Next meeting is October
2 23rd to 25th in Alpena, Michigan. Did I say that right?

3 PARTICIPANT: What Michigan?

4 CHAIRMAN HIXON: Dang. We're going to have
5 something to do. I'm just reading here. We're going
6 to have something to do in conjunction with Thunder Bay
7 National Marine Sanctuary, National Marine Sanctuary.
8 And we may wish to call on John Halsey for ideas.

9 MR. PETERSON: What's the airport?

10 CHAIRMAN HIXON: Yes. Help us out here.

11 DR. HALSEY: Alpena it's called Phelps

12 Collins. CHAIRMAN HIXON: Would you
13 spell that?

14 DR. HALSEY: It's a well known destination.

15

16 CHAIRMAN HIXON: Yes.

17 PARTICIPANT: It's a regional airport.

18 DR. HALSEY: It's a commercial airport in
19 Alpena.

20 CHAIRMAN HIXON: And what's, what's it
21 called?

22 DR. HALSEY: Phelps

23 CHAIRMAN HIXON: So we just we, I mean, if
24 you just have to say Alpena.

25 DR. HALSEY: Alpena.

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1 CHAIRMAN HIXON: Okay. Fine. John, do you
2 want to say anything at this time about the meeting?

3 DR. HALSEY: All I would say is Lauren has
4 had initial discussions --

5 PARTICIPANT: You need to speak into the mic.

6 DR. HALSEY: I'm sorry. Lauren has had
7 initial discussions with Jeff Gray who is the Sanctuary
8 Manager at Alpena. And I know that we have excellent
9 facilities in the Great Lake Maritime Heritage Center.
10 And assume that's where the meetings are actually going
11 to be held, so you'll be right there in the in the Sanctuary
12 Headquarters. As far as entertainment, we have yet to
13 discuss anything like that. So, but it's going to be,
14 because we couldn't get everybody together before the
15 last week in October, there's a lot of difference between
16 the last week in October and the first week in October.
17 But there, hopefully will be some water activities.
18 But that's going to be entirely weather dependent. There
19 are other things that probably will be closed for the
20 season, but which we can get opened. There are a number
21 of very prominent lighthouses and so forth that are well
22 worth, worth visiting.

23 MR. PETERSON: Very good sledding.

24 CHAIRMAN HIXON: Right.

25 PARTICIPANT: No sledding yet.

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1 CHAIRMAN HIXON: Okay. Hold on. We're not
2 quite done.

3 MS. WENZEL: I just wanted to say that Thunder
4 Bay is very eager to welcome us. They've been very
5 enthusiastic. And I think it's going to be very
6 interesting because they've done a lot of partnership
7 with the town, in terms of, redeveloping this old paper
8 mill to be the sanctuary office. Working on incentives.
9 So, I think there will be some interesting discussions
10 that might feed in to the incentives group about working
11 with the local community and having people buy in to
12 an MPA.

13 MR. PETERSON: They didn't want it initially.

14 CHAIRMAN HIXON: Imagine that. Other
15 questions, discussion regarding the meeting.

16 (No audible response.)

17 All right. I want to thank and congratulate
18 everyone for a very productive, if not entirely exhausting
19 meeting. I especially am grateful for those of you who
20 came and stayed through the whole thing. We were getting
21 dicey regarding quorums. And --

22 PARTICIPANT: And those of us that were late
23 this morning.

24 CHAIRMAN HIXON: Even those who were late
25 this morning. You've been forgiven. So I think you

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1 adjourn the meeting. Right? Okay. One more thing.

2 MS. WENZEL: I declare this meeting adjourned.

3 Thank you all very much.

4 (Whereupon, the above entitled matter

5 was concluded at 4:37 p.m.)

6

7

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